

Blackpool Council

9 June 2015

To: Councillors Hunter, Hutton and Roberts

The above members are requested to attend the:

LICENSING PANEL

Wednesday, 17 June 2015 at 6.00 pm
in Committee Room B, Town Hall, Blackpool

A G E N D A

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

- A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.
- B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION FOR A PREMISES LICENCE- PREMIER STORE (Pages 1 - 46)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR A PREMISES LICENCE- Premier Store, 168 Ashfield Road
- c. ANNOUNCEMENT OF THE DECISION FOR A PREMISES LICENCE- Premier Store, 168 Ashfield Road

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail lennox.beattie@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	17 th June 2015

APPLICATION FOR A PREMISES LICENCE – Premier Store

1.0 Purpose of the report:

1.1 To consider an application for a Premises Licence in respect of Premier Store, 168 Ashfield Road for the sale of alcohol for consumption off the premises.

2.0 Recommendation(s):

2.1 The Panel is requested to consider the application and determine whether the granting of this licence would adversely impact on the licensing objectives.

3.0 Reasons for recommendation(s):

3.1 Representations have been received therefore there must be a hearing to determine the application.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None, once an application and representations have been received it must be considered by a Licensing Panel.

4.0 **Background Information**

4.1 On 21st April 2015, the Licensing Service received an application from Michelle Nelson to issue a Premises Licence at Premier Store, 168 Ashfield Road Blackpool.

4.2 The application requests permission to sell alcohol for consumption off the premises 09.00 – 21.00 hours daily. A copy of the application is attached.

4.3 Representations have been received from members of the public. Copies of the representations are attached.

4.4 **Local policy considerations**
None

4.5 **National policy considerations**

9.42 – The authority's decision should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.43 – Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder as well as the potential benefit in terms of promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the licensing objectives and nothing outside those parameters.

Observations

The police have agreed conditions with the applicant which will be added to the licence if it is granted:

1. An incident book will be maintained, in which shall be recorded :
 - (i) All incidents of crime and disorder
 - (ii) Refused sales to suspected under age/ drunken persons
 - (iii) A record of any person refused admission or asked to leave the premises
 - (iv) Details of occasions upon which the Police are called to the premises
 - (v) The use or discovery of drugs

That book shall be available for inspection by a Police Officer or authorised person

2. CCTV will be installed internally and externally at the premises and will comply with the following:
 - The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system. The system will incorporate a camera covering the entrance door and will be capable of providing an image which is regarded as identification standard.
 - The system will display the correct date and time
 - The system will make recordings during all hours the premises are open to the public
 - VCR tapes or digital recordings shall be held for a minimum of 31 days and 28 days respectively after the recording is made and will be made available to the Police or any authorised persons for inspection upon request.
 - The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.
 - A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show recent data or footage with the absolute minimum of delay when requested to by a Police Officer or a Local Authority Enforcement Officer.
 - The Licence Holder or Designated Premises Supervisor shall notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions
 - Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.
3. An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises. All staff involved in the sale of alcohol will be at least 18 years of age and will receive training to promote the licensing objectives. All training to be documented and records made available on request to a Police Officer or any authorised officer.
4. A personal licence holder shall be available at all times while the sale and supply of alcohol takes place. A personal licence holder does not need to be present at the premises at all times but must be readily available to

contact.

5. The licence holder is to support and rigorously enforce the Challenge 25 proof of age policy.
6. 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.
7. Signs promoting this policy will be prominently displayed at public entrances and alcohol sales areas
8. All staff to have received suitable training in relation to the Proof of Age Scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request. Staff will be trained on appointment and every 6 months thereafter.

4.6 Does the information submitted include any exempt information? No

5.0 **List of Appendices:**

Appendix 4a: Application

Appendix 4b: Representations from members of the public

6.0 **Legal considerations:**

6.1 Please see local and national policy in the background information.

7.0 **Human Resources considerations:**

7.1 None

8.0 **Equalities considerations:**

8.1 None

9.0 **Financial considerations:**

9.1 None

This page is intentionally left blank

21 APR 2015

APPLICATION FOR A NEW PREMISES LICENCE

Applicant Name(s):

MICHELLE MARIE NELSON

Built Environment

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

Contact

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

www.blackpool.gov.uk



Application for a premises licence to be granted 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. You may wish to keep a copy of the completed form for your records.

I/We MICHELLE MARIE NELSON
[insert name of applicant/s]

apply for a premises licence under Schedule 17 of the Licensing Act 2003 for the premises described under Part 1 below and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Part 1 – Premises Details

Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.			
Premises Name	PREMIER STORE		
Premises Address	168 ASHFIELD ROAD		
	BISPHAM, BLACKPOOL		
	LANCASHIRE	Post Code	F Y 2 O L A
Telephone Number of premises (if any)			
E-Mail Address			
Non-Domestic Rateable Value of Premises	£ 4,950		

Part 2 – Applicant details

In what capacity are you applying for a licence?

Please tick:

- | | | |
|---------------------------------------------------|-------------------------------------|--------------------|
| a) An individual * | <input checked="" type="checkbox"/> | Complete Section A |
| b) A person other than an individual* | | |
| I. As a limited company | <input type="checkbox"/> | Complete Section B |
| II. As a partnership | <input type="checkbox"/> | Complete Section B |
| III. As an unincorporated association | <input type="checkbox"/> | Complete Section B |
| IV. Other (for example a statutory corporation) | <input type="checkbox"/> | Complete Section B |
| c) A recognised Club | <input type="checkbox"/> | Complete Section B |
| d) A charity | <input type="checkbox"/> | Complete Section B |
| e) The proprietor of an educational establishment | <input type="checkbox"/> | Complete Section B |

- f) Health Service Body Complete Section B
- g, A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales Complete Section B
- ga) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent Hospital in England. Complete Section B
- h) The Chief Officer of Police of a police force in England and Wales Complete Section B

***If you are applying as a person described in (a) or (b) please confirm:**

- If yes please tick
- I am carrying on or propose to carry on business that involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a
 - Statutory function
 - A function discharged by virtue of Her Majesty's prerogative

(A) Individual Applicants (fill in as applicable)

Title:	Mr	Mrs	Miss	Ms		
Surname	NELSON				Forenames	MICHELLE
I am 18 years old or over	Yes	No	Date of Birth			<small>Please tick</small>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>				Day
Home Address	[Redacted]					
	[Redacted], BLACKPOOL					
	LANCASHIRE			Post Code	F Y 3	[Redacted]
Telephone Number					Mobile Number	[Redacted]
E-Mail Address	[Redacted]					

SECOND INDIVIDUAL APPLICANT IF APPLICABLE

Title:	Mr	Mrs	Miss	Ms		
Surname				Forenames		
Date of Birth	Day	Month	Year	I am 18 years old or over	<small>Please tick</small> Yes	No
Home address						
				Post Code		
Telephone Number				Mobile Number		
E-Mail Address						

(B) OTHER APPLICANTS

Please provide name and registered address of the applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name						
Address						
					Post Code	
Telephone Number						
E-Mail Address						
Registered number (where applicable)						
Description of applicant (e.g. partnership, company, unincorporated association)						

Part 3 - Operating Schedule

When do you want the premises licence to start

Day		Month		Year		
2	5	0	5	2	0	15

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year		
 		 		 		

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

Please give a general description of the premises (Please see guidance note 1)

CONVENIENCE STORE ON A MAIN ROAD.
A RECTANGULAR SHAPED SHOP APPROXIMATELY 800²FT
THE PLAN IS TO HAVE HIGH VALUE ALCOHOL BEHIND
THE COUNTER THE REST OF THE ALCOHOL WILL BE
ON THE RIGHT HAND SIDE AS YOU COME IN THROUGH
THE DOOR. I HAVE OWNED CONVENIENCE STORES
WITH OFF LICENSES FOR 17 YEARS. I HAVE
HELD A PERSONAL LICENCE FOR 10 YEARS. I
CURRENTLY OWN 2 BARGAIN BOOZE FRANCHISES,
AND HAVE BEEN A BARGAIN BOOZE FRANCHISEE
FOR 12 YEARS, I HAVE APPLIED A CHALLENGE
25 POLICY FOR 6 YEARS IN BOTH OF MY
OTHER STORES AND HAVE WELL TRAINED
KNOWLEGABLE STAFF SOME OF WHOM WILL BE
TRASFERING TO THIS STORE. THIS STORE WILL BE
REFITTED TO A HIGH STANDARD WITH ADEQUATE
LIGHTING, CCTV AND ALARM SYSTEM. THE OPENING
HOURS WILL BE 9AM - 21.00PM 7 DAYS A WEEK
OUR 2 BARGAIN BOOZE STORES OPEN THESE HOURS
AND WE HAVE ALWAYS FOUND CLOSING AT 21.00PM
TO BE ADEQUATE AND HAVE NO INTENTION TO
OPEN LATER THAN THAT AT THIS STORE.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment:

If yes please tick

- a) A performance of a play (if ticking yes, fill in box A)
- b) An exhibition of a film (if ticking yes, fill in box B)
- c) An indoor sporting event (if ticking yes, fill in box C)
- d) Boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) A performance of live music (if ticking yes, fill in box E)
- f) Any playing of recorded music (if ticking yes, fill in box F)
- g) A performance of dance (if ticking yes, fill in box G)
- h) Entertainment of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Performance of a play Standard timings (read guidance note 6)			Will the performance of a play take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thurs					
Fri			<u>Non-standard timings. Where you intend to use the premises for the performance of a play at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

B

Exhibition of film Standard timings (read guidance note 6)			Will the exhibition of films take place indoors, outdoors or both? Please tick. (Read guidance note 2)	
			Indoors	
			Outdoors	
			Both	
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)	
Thurs				
Fri			Non-standard timings. Where you intend to use the premises for the exhibitions of film at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

C

Indoor sporting events Standard timings (read guidance note 6)			Please give further details here (please read guidance note 3)	
Day	Start	Finish		
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)	
Tue				
Wed				
Thurs			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainment Standard timings (read guidance note 6)			Will the boxing or wrestling entertainment take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 3)		
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Thurs						
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

E

Performance of live music Standard timings (read guidance note 6)			Will the performance of live music take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 3)		
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)			
Thurs						
Fri			Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

F

Playing of recorded music Standard timings (read guidance note 6)			Will the playing of recorded music take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for playing recorded music</u> (please read guidance note 4)		
Thurs					
Fri			<u>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performance of dance Standard timings (read guidance note 6)			Will the performance of dance take place indoors, outdoors or both? Please tick. (Read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thurs					
Fri			<u>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

Entertainment of a similar description to that falling within (e), (f) or (g) Standard timings (read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	Will this entertainment take place indoors, outdoors or both. Please tick. (Read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thu			<u>State any seasonal variations for entertainment</u> (please read guidance note 4)		
Fri					
Sat			<u>Non-standard timings. Where you intend to use the premises for the entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late Night Refreshment Standard timings (read guidance note 6)			Will the provision of late night refreshment take place indoors, outdoors or both? Please tick (Read guidance note 2).		Indoors	
Day	Start	Finish		Outdoors		
Mon				Both		
Tue			<u>Please give further details here</u> (please read guidance note 3)			
Wed						
Thu			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Fri						
Sat			<u>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sun						

J

Supply of alcohol Standard timings (read guidance note 6)			Will the sale of alcohol be for consumption on the premises, off the premises or both? Please tick. (Read guidance note 6)	On the premises				
				Off the premises	✓			
				Both				
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	9.00	21.00						
Tue	9.00	21.00						
Wed	9.00	21.00						
Thurs	9.00	21.00						
Fri	9.00	21.00						
Sat	9.00	21.00						
Sun	9.00	21.00						
						Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 8)

L

Hours premises are open to public Standard timings (read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	9:00	21:00	
Tue	9:00	21:00	
Wed	9:00	21:00	
Thurs	9:00	21:00	
Fri	9:00	21:00	
Sat	9:00	21:00	Non-standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun	9:00	21:00	

M

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor.

Surname	NELSON		Forename(s)	MICHELLE MARIE		
State any previous names	THORNTON					
They are 18 years old or over	Yes	No	Their Date of Birth	Day	Month	Year
	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Address	[Redacted]					
	BLACKPOOL					
	LANCASHIRE		Post Code	F	4	3
Telephone Number	[Redacted]					
Email Address	[Redacted]					
Personal Licence Number (if known)	PA 01 74					
Expiry date of Personal Licence	05 MAY 2025					
Issuing Licensing Authority (if known)	BLACKPOOL BOROUGH COUNCIL					

Describe the steps you intend to take to promote the four licensing objectives:

- a) General – all four licensing objectives (b,c,d,e) (See guidance note 9)

A NEW CCTV TO COVER ALL AREAS OF THE STORE AND FORECOURT
25 POLICY - ALL STAFF INSTRUCTED AND TRAINED ON THE 25 POLICY
WITH REFRESHER TRAINING EVERY 3 MONTHS
MAIN STAFF ARE PERSONAL LICENSE HOLDERS
A REFUSAL BOOK AND INCIDENT BOOK KEPT BEHIND THE COUNTER
NO LATE OPENING HOURS THE PREMISES WILL CLOSE AT 9PM
PANIC ALARMS WILL BE FITTED. FULL STORE REFIT TO HIGH STANDARD
INCLUDING ADEQUATE LIGHTING INSIDE AND OUT

- b) The prevention of crime and disorder

CCTV COVERING ALL AREAS OF THE STORE AND FORECOURT
ALL STAFF ARE TRAINED ON LICENSING OBJECTIVES THE
TRAINING INCLUDES PROXY SALES AND REFUSING DRUNKS.
SUITABLE AND SUFFICIENT RISK ASSESSMENTS WILL BE
UNDERTAKEN
PANIC ALARMS FITTED
25 POLICY
EFFECTIVE AND RESPONSIBLE MANAGEMENT OF THE PREMISES.

- c) Public Safety

CCTV COVERING ALL AREAS OF THE STORE AND FORECOURT
NO LATE OPENING HOURS THE PREMISES WILL CLOSE AT 21.00PM
FULL ALARM SYSTEM WITH POLICE RESPONSE AND PANIC ALARMS
TO TILL AND STOCK ROOM
STORE IS TO BE REFITTED TO A HIGH STANDARD TO INCLUDE
ADEQUATE LIGHTING INSIDE AND OUT

- d) The prevention of public nuisance

CCTV COVERING ALL AREAS OF THE STORE AND FORECOURT
NO LATE OPENINGS THE PREMISES WILL CLOSE AT 21.00AM
POLICE RESPONSE PANIC ALARMS
STAFF TRAINED ON PROXY SALES AND REFUSAL OF DRUNKS
NO ALCOHOL TO BE OPENED ON THE PREMISES WHETHER PURCHASED
AT THE STORE OR ELSEWHERE
A CLEAR, LEGIBLE AND CONSPICUOUS NOTICE REQUESTING PATRONS TO
AVOID CAUSING NOISE, NUISANCE OR DISTURBANCE TO LOCAL
RESIDENTS WILL BE DISPLAYED AT THE EXIT

- e) The protection of children from harm

25 POLICY (CHALLENGE 25) ONLY ID ACCEPTED ARE DRIVERS
LICENSE AND PASSPORTS. ALL STAFF RECEIVE SUITABLE TRAINING IN
RELATION TO THE PROOF OF AGE TRAINING. RECORDS OF TRAINING
OF STAFF ARE KEPT ON THE PREMISES. REFUSAL BOOK KEPT ON
PREMISES. OPS HAS HELD PERSONAL LICENCE FOR 10 YEARS.
ALL STAFF RECEIVE TRAINING ON PROXY SALES AND ID
IS REQUESTED FROM ALL PEOPLE UNDER 25 WHO ARE SEEN
CHOOSING ALCOHOL NOT JUST THE PERSON PAYING. OPS 18 YEARS EXPERIENCE


If yes please tick

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application, including the plan and consent by the proposed supervisor form (if applicable), to the responsible authorities
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application. *(You may be asked to prove this, it is therefore in your best interests to provide a copy of the advert to the Licensing Department).*
- 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

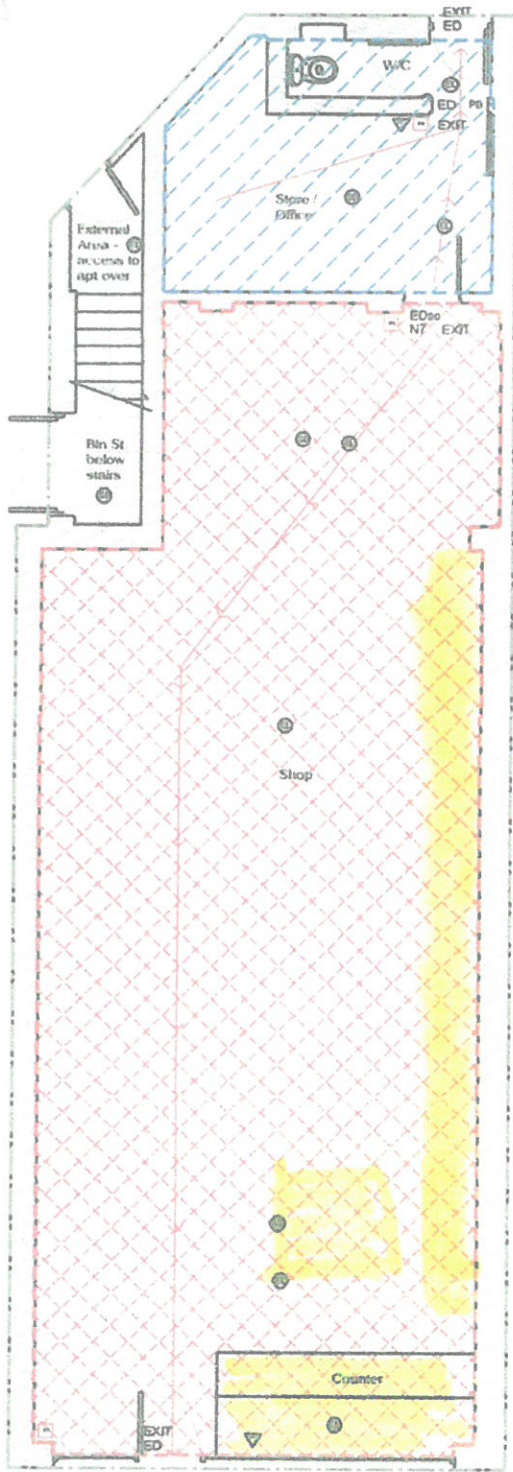
Part 5 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 11) **If signing on the behalf of the applicant please state in what capacity.**

Signed	
Print Name	MICHELLE NELSON
Capacity	APPLICANT
Date	21/04/2015

Where the premises licence is jointly held signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 12) **If signing on behalf of the applicant please state in what capacity.**

Signed	
Print Name	
Capacity	
Date	



General notes:
 Do not scale the drawing.
 All dimensions to be checked on site prior to commencement of work and any discrepancy shall be immediately reported and resolved prior to work commencing. This drawing is to be read in conjunction with all relevant drawings and specifications relating to the job whether or not indicated on the drawing.
 Copyright reserved to Wallis Building Design this drawing may not be used or reproduced without prior written consent.

Key for Signs conform to BS 5499

⊕	Emergency Lighting	ED	Exit Door
⊙	Smoke Detectors	EDto	Exit Door with self close mechanism
⊗	Heat Detectors	N7	Notice: Push Bar to Open
▽	Fire Extinguisher: Water	EXIT	Notice: Exit Sign
▽	Fire Extinguisher: Foam	→	Fire escape route
▽	Fire Extinguisher: Dry Powder	---	Extents of site
▽	Fire Extinguisher: CO2	□	Break glass points
▽	Fire Extinguisher: Wet Chemical	FADR	Fire alarm activated door release
▽	Water mixing	PS	Doors fitted with push bar fittings
B	Fire Blanket		

Designated floor area hatches

	Area hatched red is to be utilised as staff / general store
	Area hatched red is to be utilised as licensed shop premises

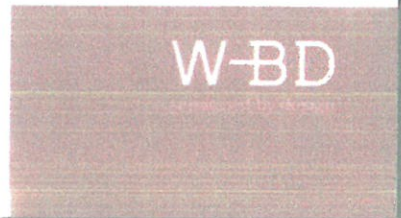
PROPOSED AREA FOR ALCOHOL

Licence Plan 1:100

Rev. *

Drawg No	Job Ref	Date Complete	Paper size	Drawg Scales	Status	REV.
001	00115	11.02.15	A3	1:100	Existing	

Checked SW T. 07: 30304919 E. simon@w-bd.co.uk W. w-bd.co.uk



168 Ashfield Road

This page is intentionally left blank

2a Brighton Avenue
Thornton-Cleveleys
Lancashire
FY5 2AA
DX 27915 Cleveleys

Telephone 01253 850777
Fax 01253 850780

Email : info@ormrods.co.uk
www.ormrods.co.uk

15 MAY 2015

Email: geoff.ormrod@ormrods.co.uk

DD: 01253 861032

* handed in too licensing from
Mr Nelson regarding Andrew
Aireys solicitors letter suggesting
13th May 2015
that there is a covenant
over 168-170 Ashfield when
this is indeed not the case
and Andrew Airey is simply trying
to put the frighteners onto
any person wanting to get
a licence at this
address as Mr Airey doesn't
want it too impact on the
off licence
Block of shops

Mr C Marquis-Carr
Roland Robinsons & Fentons
17039 BLACKPOOL 1

Our Ref: GGO/GGO/001112-13-0/2916

Your Ref: CSMC makj 60014/64 Craggy Ltd

Dear Sirs

168 – 170 Ashfield Road Blackpool
Our client Mr Russell Neve; Your client Craggy Ltd

We are instructed by Mr Neve the owner of the above property. He has passed to us your letter of 12th March 2015 addressed to Mr Vipudshan the current occupier of the property.

The purpose of this letter is to advise you that Mr Neve does not accept that your client has any valid grounds to object as you say and to explain the reasoning behind his rejection in accordance with the Civil Procedure Rules Practice Direction on Pre-Action Conduct.

You will appreciate that there is no specific protocol in place in relation to disputes such as these but the purpose of this letter is to clarify our client's position and to give you the opportunity to respond.

We would be obliged if you could respond within 14 days of the date of this letter.

We shall deal with the matters in the order in which you deal with them in your letter for ease of reference.

1. The covenant in the conveyance of 31 March 1964 ("the Fieldings Covenant")
 - 1.1. For the reasons set out here we do not believe the covenant is binding in any event and the comments we make below are made without prejudice to that contention.
 - 1.2. You do not state that your client has the benefit of the covenant or give any explanation as to how it might have become entitled to the rights of R Fielding and Son (Builders) Ltd.
 - 1.3. We are not aware that your client has obtained such rights. In any event that company was acquired by Costain in or about 1969 and no longer appears on any documents at Companies House. It has presumably been dissolved. Your client would have to demonstrate a separate acquisition of those rights.
 - 1.4. Unless it can do so, under the rules as to privity of contract your client cannot enforce the covenant so whether or not your objections previously were successful we consider that your client has no right so to do.

Geoffrey Ormrod BA (Hons), *Michael Penny LLB (Hons)
Directors
**Richard Darby LLB (Hons)
Associate Solicitor
Ron Railton
Conveyancer

*Solicitor Advocate & Member of Resolution
**Member of Apil

2. "This covenant [i.e. the Fielding's Covenant] does not permit the sale of intoxicants." That is incorrect.
 - 2.1. The covenant actually says that the property will be used "..... for the business of Grocers and Provision Merchants"
 - 2.2. The rule of construction of contra proferentem would apply here and a restrictive construction of the provision would undoubtedly be applied.
 - 2.3. If the person framing the covenant had wanted to exclude the sale of alcohol it could easily have been inserted. It has not been so inserted and would not be implied.
 - 2.4. You appear to have overlooked that Sainsbury's, Tesco, Asda, Waitrose, Morrisons, Aldi and Lidl all describe themselves as "grocers" yet they sell enormous amounts of alcohol. Indeed we understand that Tesco sells more wine than any other retailer in the UK.
 - 2.5. To suggest therefore that the description of a business as "grocers" precludes sale of alcohol is simply unrealistic.
3. "The covenants in 1964 were imposed for the mutual benefit of the covenantors"
 - 3.1. This might be the case in relation to the conveyance to your client where there is a non-competition scheme.
 - 3.2. That does not apply in the Fieldings Covenant. There is simply nothing to support your assertion of mutual benefit and indeed the absence of those provisions make it all the more probable that there is no reason for there to be any restriction on the use of our client's property.
4. You appear to have overlooked the provisions of the Competition Act which came into force on 6th April 2011 and has retrospective effect.
 - 4.1. This Act outlaws restrictions or restrictive covenants limiting the type of commercial activity which a tenant or occupier may undertake particularly where it is intended to protect the landlord or other tenants from competition.
 - 4.2. Accordingly, even if we are completely mistaken in our analysis of the position as set out above (which we do not accept) the provisions of the Competition Act apply.
 - 4.3. Any form of arrangement particularly that set out in your clients conveyance are rendered null and void by the Competition Act and the proposition you put forward is equally and thoroughly defeated in the same fashion.

In summary therefore we cannot see that your client has any standing to object to the grant of a licence to our clients or others.

Even if it does have standing then the Competition Act precludes any objection.

Any attempt to so object could well be unreasonable interference in our client's right to trade and an attempt to circumvent the Competition Act.

We require that your client either:-

1. confirms that it will not pursue any objection either to the local authority or otherwise should an application for alcohol licence be made in relation to these premises or

2. alternatively that you respond in detail to deal with these arguments so that the issues may be clarified and narrowed.

As indicated above please could you respond within 14 days of the date of this letter or in any event no later than 4 p.m. on Friday 29th May 2015.

In the absence of response we have advised our client to issue an application pursuant to CPR 40.20 for a declaratory judgement.

This is obviously going to incur costs but our client cannot continue with the threat of proceedings from your client hanging over his head and the issue must be dealt with once and for all.

We invite you to avoid this by confirming that you accept the position as we lay it out here and that your client will not seek to object either to the local authority or through the courts.

We look forward to receiving confirmation by the time mentioned above. In the absence of a response proceedings will be issued without further notice. This correspondence will be relied upon in any application for costs.

Yours faithfully

A handwritten signature in black ink, appearing to be a stylized name, possibly 'J. O.', written over a horizontal line.

Ormrods Solicitors & Advocates Ltd

This page is intentionally left blank

05 MAY 2015

<i>For Office use only</i>	
LalPac Application No.	
Licence Number	

Blackpool Council

Representation in respect of a Premises Licence or Club Premises Certificate

Applicant Name:	Mrs L Leng
------------------------	------------



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

Contact

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

www.blackpool.gov.uk

LS/D/009/15/5

Section 1 – Premises or Club details

Name & Address of Premises	Convenience Store									
	168, Ashfield Road Bispham Blackpool Lancashire									
	Post Code	F	Y	2		0	B	X		

Name of the licence holder of the above premises (if known)

Section 2 – Your Details

A. Details of individual interested party

Title:		Mrs				Surname	Leng			
Forenames	Lynn					I am 18 years old or over	Please tick		Yes	No
							yes			
Home address	<input type="text"/> Blackpool Lancashire									
						Post Code	F	Y	2	<input type="text"/>
Telephone Number	<input type="text"/>				Mobile Number	<input type="text"/>				
E-Mail Address	<input type="text"/>									

B. Details of other interested parties, such as a body representing residents or businesses

Name of the Body	Lengs Funeral Service Ltd										
First Names <small>(of person representing the body)</small>	Lynn					Surname <small>(of person representing the body)</small>	Leng				
Home address	164-166 Ashfield Road Bispham Blackpool Lancashire										
						Post Code	F	Y	2	<input type="text"/>	
Telephone Number	<input type="text"/>				Mobile Number	<input type="text"/>					
E-Mail Address	<input type="text"/>										

Section 3 – Details of the licensing objectives that will be undermined by the application.

This representation relates to the following licensing objective/s

(Tick as appropriate)

- The Prevention of Crime and Disorder /
- Public Safety /
- The Prevention of Public Nuisance /
- The Protection of Children from Harm /

Section 4 – Information and details of the representation

Have you made any representations in respect of this premises before?	Yes	N no
Date that the previous representation was made:	N/A	
I understand that the Licensing Authority is obliged to give notice of a hearing to all parties to the hearing and this must include a copy of this representation.	Yes	

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

Please state the grounds for your representation: - (Please continue on additional sheets if necessary)

I Mrs Leng of Lengs Funeral Service LTD 166, Ashfield Road Bispham, Strongly Object to the property of 168, Ashfield Road applying for a Alcohol Licence as to the serious problems this will cause,

1, Children attending the Shop / Convenience store don't need to be invited to shelves of alcohol or to see adults of a drunken nature approaching the store or buying in the store, I also think that as 168, Ashfield road is a convenience Store the elderly don't need to be approached by drunk and disorderly members of the public, I also think that the sale of cheap alcohol will entice children that are made to look older than there age to buy and get away with the purchase.

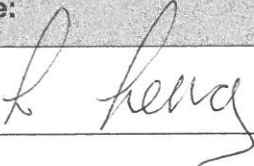
2, Drunks and alcoholics just Cause a nuisance to the public and this can lead to crime and violence , the safety of the public must come first , the rear of 168, Ashfield Road Bispham has always had problems of drunks and drug users and I think that opening another store that sells alcohol is going to be a disaster, we have a respectable off licence on the same row of shops for over 30 years and there is no demand for another ,many residents have said that having a Funeral Directors on the block of shops has cut crime around the area and has stopped alcoholics and drug users from going around the back of 168, Ashfield Road, and miss using the drive round, As a respectable Funeral Director my Premises are open to the public that have lost loved ones and are allowed to pay their respects from 9am to 10pm , I do not need the disrespect of drunken members of the public buying alcohol from next door and causing a public nuisance, encountering bad behaviour bad language when intoxicated with cheap alcohol.

Please provide as much information as possible to support your representation. Note that if you have not disclosed this information, you may not be able to introduce it at the hearing unless all parties consent.

Section 5 Signatures

Signature of the person making the representation or their solicitor or other duly authorised agent. If signing on the behalf of a person or body representing a person living or carrying on business in the vicinity of the premises, please state in what capacity.

LS/D/009/15/5

Signature:	Capacity:	Date:
	PROPRIETOR - FUNERAL DIRECTOR.	01-05-2015

This page is intentionally left blank

06 MAY 2015

5 May 2015

Re:
Licence Application by Michelle Nelson
Premier Store
168 Ashfield Road
Bispham
Blackpool
FY2 0LA

Dear Blackpool Council

I write in respect of the above licensing application as I feel that objections need to be raised.

This latest application states that the above named person wishes to apply for a licence for the supply of alcohol. I find this statement more alarming than the recent previous two applications – one withdrawn and the second refused, as it does not give any proposed times for the sale of alcohol.

This application only states “for the supply of alcohol”. Are we to assume that this is for an “off licence” premises or for a grocery store with alcohol available for sale and does this mean that the premises wishes to sell alcohol at whatever time of day or night they are open to the public.

Again we, the residents, find ourselves in a position of once again having to go through the motions having to put our objections forward.

Again I would advise Blackpool Borough Council to refuse the application – principally within the following categories:-

1. The Protection of Children
2. The Prevention of Nuisance
3. The Protection of Public Safety
4. The Prevention of Crime & Disorder

As I understand, from previously making objections and attending the last Licencing Hearing, Blackpool Council feels the area of Ashfield Road is not within a “saturation area” of licenced premises.

I would strongly argue this point stating that the whole of Blackpool is saturated with licenced premises and to allow further saturation within a densely populated area of

residential properties with a high number of children and elderly this should be one of the main reasons for refusal.

We have seen over the years how Blackpool has become a place of lewd, aggressive behaviour and is now in need of complete overall. It is dirty; offensive language can be heard by just walking up a street; people in a state of complete drunkenness; the local A/E department overstretched by people so drunk they fall over or get into fights and we the tax payers yet again having to pick up the bill for these people. Enough is enough – no more licenced premises please.

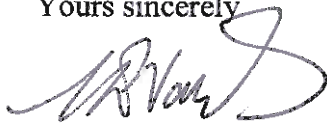
Of note over recent years we have seen an upsurge in lewd behaviour around this particular shop and other shops on the same block and this is without an additional premises selling alcohol. This is particularly alarming as we now have an undertakers within this row of shops and in my opinion more respect should be being observed.

There are ample premises selling alcohol in Bispham Village and a convenience/alcohol shop further down the road opposite the University Campus.

The Off Licence premises which already sells alcohol has a good relationship with the residents of the surrounding area by limiting the opening times and works very well.

I would again strongly urge Blackpool Council to refuse this application as this is a densely populated area with many children and elderly in close proximity and we should not be exposing vulnerable children and adults to people who do not care for their local community and are hell bent on fuelling their addictions without redress to the consequences of their unsociable habits at any time of the day or night.

Yours sincerely



Margaret Evans (Mrs)

Licensing Service
Blackpool Council
Municipal Buildings
P.O.Box 4
Blackpool
FY1 1NA

From:
To: [Licensing Ia2003](#)
Subject: Re alcohol license application for 168-170 Ashfield rd. Bispham, Blackpool
Date: 06 May 2015 12:10:25

Mr. I. Bullock

Dear sir/madam

I am writing to object to the application for a alcohol license at the Happy Shopper 168-170 Ashfield rd. The above premises is in an area already saturated with off license premises, indeed there is a retail outlet selling alcohol next door but one to the premises which is well managed. In the past there has been numerous incidents at these premises (168-170 Ashfield rd) where the owner has had to call the police, surely the sale of alcohol would only fuel more of these incidents. The premises are in an area populated by hundreds of young people from nearby schools and colleges who use the shop regularly and there is a bus stop directly adjacent to the premises used by them. Surely the sale of alcohol would encourage these young people to try and purchase alcohol by their own means or by proxy. In the past there has been a problem with gangs of youths hanging around at the bus stop directly outside the premises causing a public nuisance and there have been incidents where youths have tried to intimidate older people to the point where some people would not stop at the lay bye for fear of their safety, would this behaviour not be encouraged by yet another retail alcohol outlet. Crime and disorder is on the up in the area and I feel that another retail alcohol outlet would not help to stem this.

Regards Ian Bullock

Sent from my iPad

<http://www.blackpool.gov.uk/EmailDisclaimer/>

This message has been scanned for inappropriate or malicious content as part of the Council's e-mail and Internet policies.

This page is intentionally left blank

From:
To: [Licensing Ia2003](#)
Subject: Objection to the Application for a Premises Licence for 168-170 Ashfield Rd, Blackpool
Date: 12 May 2015 18:31:39

Dear Sirs

I wish to object to the grant of a Premises Licence for 168-170 Ashfield Road, Bispham, Blackpool.

I was previously a joint licensee for the Off Licence at 156 Ashfield Rd and know this area well and I am currently a director of the company that owns 156-158 Ashfield Road.

At one time I ran a number of Off Licences and our shop at 156 Ashfield Rd was particularly targeted by under aged customers attempting to purchase alcohol. This might have been because of the local proximity of a nearby school and college. The bus stop in front of the property may have also contributed to this and on regular occasions gangs of youths would congregate outside. These youths would often intimidate and pester regular customers, asking them to purchase alcohol on their behalf.

There are already quite sufficient shops selling alcohol in the Bispham area to satisfy any legitimate demand and the addition of a further licensed outlet, doors away from a specialist Off Licence would simply exaggerate the problems of public nuisance and the risk of children obtaining alcohol. It has always been my belief that a general store selling a range of products is more likely to attract under aged customers, than a strictly controlled pure Off Licence.

Although not of immediate concern to the Licensing Committee, this block of shops and the houses around the area were developed by Fieldings a local building company in it's day. Fieldings saw the sense of the six shops offering a range of different products to the local community and not directly competing with each other, consequently in the deeds of sale for these shops they put restrictive covenants to ensure a separation of trades. The applicant's store is restricted to selling grocery items only, which does not include alcoholic products, as this was to be the preserve of 156 Ashfield Rd. I am aware that this is not strictly a matter that will concern your deliberations but I feel it is something you should consider when looking at the broader picture, when considering this matter.

Yours faithfully

Andrew S Airey

<http://www.blackpool.gov.uk/EmailDisclaimer/> This message has been scanned for inappropriate or malicious content as part of the Council's e-mail and Internet policies.

This page is intentionally left blank

From:
To: [Licensing la2003](#)
Subject: FW: Licensing Application by 168-170 Ashfield Road FY2 OBX
Date: 18 May 2015 16:22:07

To whom it may concern,

Further to the current application by the above address for permission to sell alcohol, our objections to the application still stand. Our reasons are iterated in our previous e-mail (see below).

Yours faithfully,

Mr S R Hill, Mrs M Hill, Mr R S Hill

=====
Message Received: Mar 19 2015, 01:12 PM
From:
To: licensing.la2003@blackpool.gov.uk
Cc:
Subject: Licensing Application by 168-170 Ashfield Road FY2 OBX

Regarding the above application by LOASU Food & Wine, premises already subject to a failed application to sell alcohol, we wish to register the following objections:

ROAD SAFETY

- No parking - there is already a major problem with anti-social parking at the junction of Ashfield Road/Hastings Avenue (double yellow lines might as well not be there, most drivers ignore them)
- There is a bus stop immediately outside the door of 168-170 Ashfield Road if a selfish driver parks on the bus stop, the resultant blockage can cause problems
- There is a zebra crossing outside the Post Office on Ashfield Road at the junction with Hastings Avenue
- The police will acknowledge that the junction (Ashfield Road/Hastings Avenue) has been the subject of several road traffic incidents over the years

ANTI SOCIAL BEHAVIOUR

Statistics tend to show that the more alcohol outlets there are there is an area anti-social behaviour increases. There is already a well established off licence in this row of shops and, in our opinion, there is no demand for another. Bispham is well served for alcohol off sales so another is not required. We also take exception to the opening hours and, if this application is granted, feel that it could lead to an application to trade 24/7.

This area is already plagued by anti-social behaviour (no police presence except the helicopter disrupting everybody's sleep or when there is an accident on the zebra crossing) and selfish car parking. Therefore we feel that to grant this application would add insult to injury.

Yours faithfully,

Stephen Hill Mary Hill (Mrs) Robert Hill

This page is intentionally left blank

19 MAY 2015



19 MAY 2015



Licensing Service

Blackpool Council

Dear Sir,

I write regarding the Premier Store Ashfield Road (Mrs Michelle Nelson), and the recent application made for a license at the above property. As a resident of Ashfield Road for 15 years, I have extreme misgivings about allowing further licensed premises in our area.

Over the last 5 years the immediate locale of the shops has suffered at the hands of anti social behaviour. The shop applying for a license has been subjected to continued harassment, and has numerous instances of police being called. This, in my opinion will only increase given a license.

As a predominantly residential area, I would also question, the sense of the hours being applied for. Surely, if a further alcohol outlet was available, nuisance and public safety would be compromised by the types of people it would attract.

I would be grateful if my objections were taken into consideration, and would also wish to attend any meeting in person, if it were possible to reiterate my disapproval of the implications this would have on our area.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Vernon Griffiths'.

Vernon Griffiths

This page is intentionally left blank

19 MAY 2015



Licensing Service

Blackpool Council

FY11NF

Dear Sir/Madam,

I am writing to formally object to the application of a license to retail alcohol, at the Premier Stores (Mrs. Michelle Nelson) on Ashfield Road. Having reviewed the Blackpool Borough website, I believe objections need to be proven on four main points.

I hope I am able to illustrate sufficiently that all four points are evident and an objection can be legitimately warranted.

Currently, the premises in question, has a retail area surrounded by Perspex as protection against the numerous attacks that have taken place over the years. Outside CCTV has been fitted, and the police have numerous instances, where their presence has been required to alleviate unwelcome advances. One can only presume, this would only escalate if a license were granted, increasing therefore the likelihood of crime.

As a resident of the area for 48 years, I have noticed a steady decline in morals, however over the last 2 years, this has accelerated rapidly. I, therefore have grave concerns that the anti social behaviour, of which Councillor Kath Rowson is more than aware of, would drop further. We have listed numerous cases of lewd and nuisance behaviour, that no residential area should have to tolerate.

As I am sure you are aware, the shop in question applying for a license, currently retails, everything expected from a grocery store. Obviously, this includes a vast array of childrens' confectionary. Therefore, whilst every step is currently being taken to detract children from smoking, by shuttering off gantries, allowing alcohol into a shop frequented by minors, would increase their exposure to alcohol, on a daily basis.

In conclusion, from the stand point of a resident in the immediate area of the shop, I can only see, anti social behaviour and crime, increasing should this license be granted. I can see no benefits, and only numerous negatives, and have no desire to live next to a further shop retailing alcohol. Especially, as the area currently has 8 outlets of alcohol in a mile radius !

Yours Sincerely

David Sprigg

This page is intentionally left blank

Mrs B. A. Thompson

19th May 2015

19 MAY 2015



I am objecting to the shop next door to me for applying for an extended drinks license

I do not want people in the entry at night (drinking as they will do) making a noise. People use that entry as a toilet.

This is a quiet respectable neighbourhood and I do think it would attract undesirables, in fact I am almost sure it will.

Thank you

B Thompson

This page is intentionally left blank