

# Public Document Pack

# Blackpool Council

13 September 2016

To: Councillors Hunter, Mitchell and Ryan

The above members are requested to attend the:

## LICENSING PANEL

Tuesday, 20 September 2016 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- TIPPLES OFF LICENCE** (Pages 1 - 34)

a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report

b. DETERMINATION OF THE APPLICATION FOR A PREMISES LICENCE- Tipples Off Licence

c. ANNOUNCEMENT OF THE DECISION FOR A PREMISES LICENCE- Tipples Off Licence

**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](mailto: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](http://www.blackpool.gov.uk).

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Services
<b>Date of Meeting :</b>	20 September 2016

## APPLICATION FOR A PREMISES LICENCE – Tipples Off Licence

### 1.0 Purpose of the report:

1.1 To consider an application for a premises licence at Tipples Off Licence, 87 Central Drive.

### 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 is submitted and representations received it must be considered by the Licensing Panel.

### 4.0 Background Information

4.1 On 21 July 2016, the Licensing Service received an application from Ebrima Jagne for a Premises Licence at Tipples Off Licence, 87 Central Drive.

4.2 The application requests permission to sell alcohol for consumption off the premises 08.00 – 22.00 hours daily. A copy of the application is attached at Appendix 4a.

4.3 Representations have been received from Lancashire Constabulary, Public Health, the Licensing Authority and Children's Services. Copies of the representations are attached at Appendices 4b to 4e.

4.4 **Local policy considerations**

This premises is situated within Bloomfield Ward which is one of four wards that form part of the off-licence saturation policy. The effect of this policy is to create a rebuttable presumption that applications will be refused. To rebut this presumption, an applicant would be expected to show through the operating schedule, and where appropriate with supporting evidence, that the operation of the premises will not add to the cumulative impact already being experienced. The following sections of the policy are relevant:

4.8.3 This policy does not act as an absolute prohibition on the granting of new off licences however, the policy will only be overridden in genuinely exceptional cases where the applicant can demonstrate that the granting of the application will not undermine the policy and the reasons for it.

4.8.4 An application is not likely to be classed as exceptional merely on the ground that the premises have been or will be operated within the terms of its licence or that they are/will be well managed. This is to be expected of any application.

4.5 **National policy considerations**

9.12 – The police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that do so would not be proportionate for the promotion of the licensing objectives.

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.

13.35 – After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case... if the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

**4.6 Observations**

None

4.7 Does the information submitted include any exempt information? No

**4.8 List of Appendices:**

Appendix 4a: Application

Appendix 4b: Representation from Lancashire Constabulary

Appendix 4c: Representation from Public Health

Appendix 4d: Representation from Licensing Authority

Appendix 4e: Representations from Children's Services

**5.0 Legal considerations:**

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

**6.0 Human Resources considerations:**

6.1 None

**7.0 Equalities considerations:**

7.1 None

**8.0 Financial considerations:**

8.1 None

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# Blackpool Council

## APPLICATION FOR A NEW PREMISES LICENCE

**Applicant Name(s):**

EBRIMA

JAGNE

**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](http://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 EBRINA JAGNE  
[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	TIPPLES OFF LICENCE
Premises Address	87 CENTRAL DRIVE BLACKPOOL
	Post Code F71 5EE
Telephone Number of premises (if any)	01253273070
E-Mail Address	tipplesofflicence@gmail.com
Non-Domestic Rateable Value of Premises	£ 177.00

23850

**Part 2 – Applicant details**

In what capacity are you applying for a licence?

Please tick:

- a) An individual \*  Complete Section A
- b) A person other than an individual\*
  - I. As a limited company  Complete Section B
  - II. As a partnership  Complete Section B
  - III. As an unincorporated association  Complete Section B
  - IV. Other (for example a statutory corporation)  Complete Section B
- c) A recognised Club  Complete Section B
- d) A charity  Complete Section B
- e) The proprietor of an educational establishment  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
    -

as

<b>Title:</b>	<b>Mr</b>	<b>Mrs</b>	<b>Miss</b>	<b>Ms</b>	<b>MR</b>	
<b>Surname</b>	<b>JAGNE</b>				<b>Forenames</b>	<b>EBYMA</b>
<b>I am 18 years old or over</b>	<small>Yes</small>	<small>No</small>	<b>Date of Birth</b>			<small>Please tick</small>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<small>Day</small>
			<b>25</b>			<b>10</b>
<b>1989</b>						
<b>Home Address</b>	<b>100 ...</b>					
	<b>BLACKPOOL</b>					
				<b>Post Code</b>	<b>F7 1</b>	<b>FF</b>
<b>Telephone Number</b>					<b>Mobile Number</b>	<b>075301 ...</b>
<b>E-Mail Address</b>	<b>g.g.jag@blackpool.gov.uk</b>					

### Part 3 - Operating Schedule

When do you want the premises licence to start

Day		Month		Year			
0	1	0	8	2	0	1	6

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

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

THE SHOP is a one floor unit with a kitchen/store and toilet at the back.

**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			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed			<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)		
Thurs					
Fri					
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard timings (read guidance note 6)			<b>Will the sale of alcohol be for consumption on the premises, off the premises or both? Please tick. (Read guidance note 6)</b>	On the premises				
				Off the premises	<input checked="" type="checkbox"/>			
				Both				
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>					
Mon	0800	2200						
Tue	0800	2200						
Wed	0800	2200						
Thurs	0800	2200						
Fri	0800	2200						
Sat	0800	2200						
Sun	0800	2200						
						<b>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)</b>		

**K**

<p><b>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)</b></p>

L

<b>Hours premises are open to public</b> Standard timings (read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	0800	2200	
Tue	0800	2200	
Wed	0800	2200	
Thurs	0800	2200	
Fri	0800	2200	
Sat	0800	2200	<b>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</b> (please read guidance note 5)
Sun	0800	2200	

M

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

<b>Surname</b>	JAGNE	<b>Forename(s)</b>	EBRIMA
<b>State any previous names</b>			
<b>They are 18 years old or over</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<b>Their Date of Birth</b>
		Please tick	
		<b>Day</b>	<b>Month</b> <b>Year</b>
			10 10 1980
<b>Address</b>	177 ... BLACKPOOL Post Code F71 2B		
<b>Telephone Number</b>	01253 231231		
<b>Email Address</b>	jagne@blackpool.gov.uk		
<b>Personal Licence Number (if known)</b>	PA4825		
<b>Expiry date of Personal Licence</b>			
<b>Issuing Licensing Authority (if known)</b>	BLACKPOOL 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)**

Strong management Control and training of staffs so that they are aware of the premise licence and the requirements to meet the licensing objectives.

**b) The prevention of crime and disorder**

CCTV System installed

- Not selling ~~of~~ alcohol to drunk or intoxicated customers.
- <sup>staffs training</sup>
- Clear and legible notice outside premise the number of hours of the premise licence

**c) Public Safety**

Internal and external lighting fixes to promote public safety objective

- Implementation of Underage ID checks.
- All premise fittings and equipments are well maintain and in good working conditions

**d) The prevention of public nuisance**

Customer will be ask not to stand around ~~outside~~ loudly talking in the street outside premise

**e) The protection of children from harm**

Challenge 25 Campaign. Signs ~~display~~  
and badges display  
Checking of fake IDs.


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	Ebrima Jagne
Capacity	DPS
Date	20-07-16

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

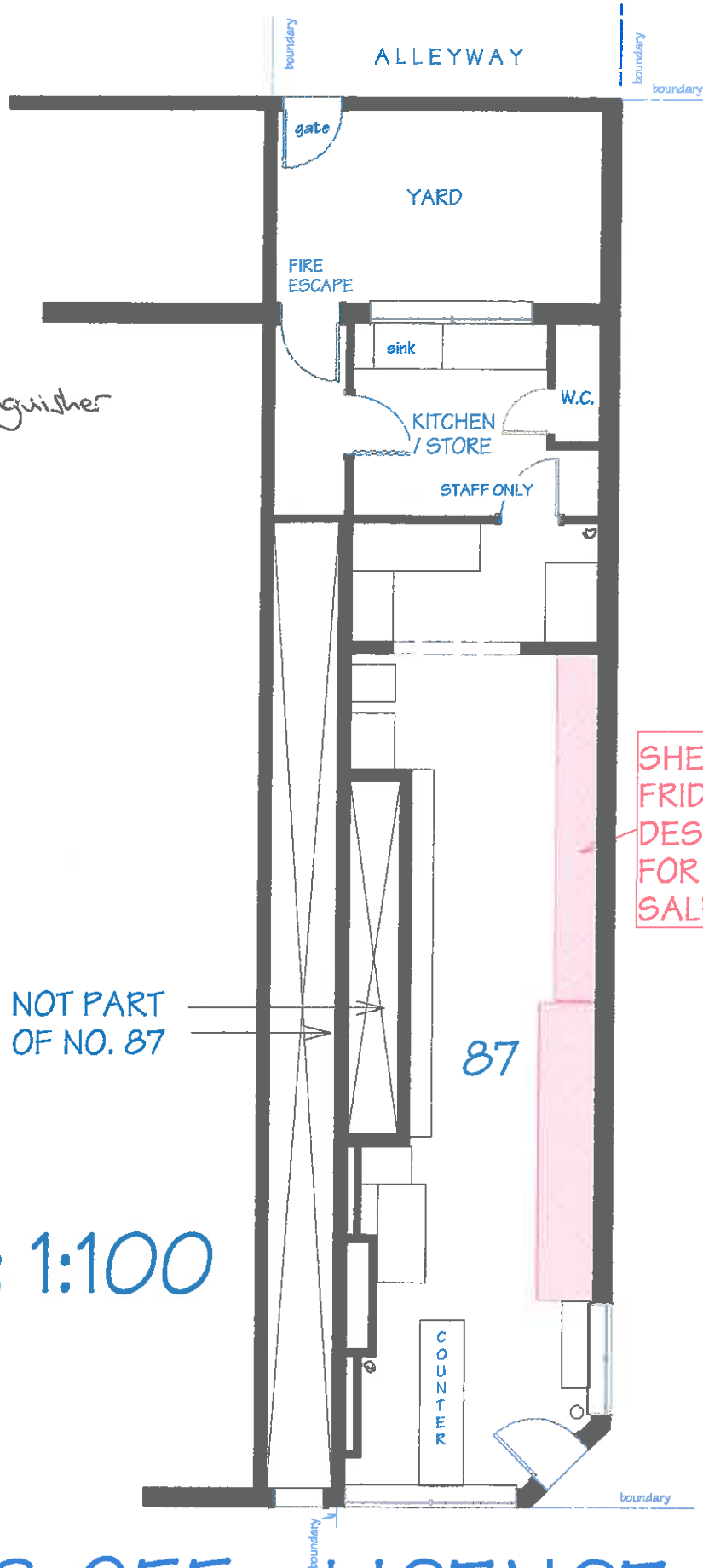
Signed	
Print Name	
Capacity	
Date	

<b>Contact name (where not previously given) and address for correspondence associated with this application. (Please read guidance note 13)</b>						
<b>Title:</b>	Mr	Mrs	Mise	Ms		
<b>Forename(s)</b>	JAGNE ERAMA			<b>Surname</b>	JAGNE	
	[Redacted]					
	BLACKPOOL					
				<b>Post Code</b>	F71	[Redacted]
<b>Telephone Number</b>				<b>Mobile Number</b>	[Redacted]	
<b>E-Mail Address</b>	[Redacted]					

### Notes for Guidance

1. Describe the premises. For example the type of premises, it's general situation and layout and any other information that could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where taking place in the building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24-hour clock format (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on. If you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish for people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises that may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi nudity, films of restricted age groups, the presence of gaming machines.
9. Please list here the steps you will take to promote all four licensing objectives together.
10. The application must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, the applicants or their respective agents must sign the application form.
13. This is the address that we shall use to correspond with you about this application.





o Fire extinguisher

SHELVING AND FRIDGES DESIGNATED FOR ALCOHOL SALES

NOT PART OF NO. 87

87

SCALE : 1:100 @ A4

TIPPLES OFF - LICENCE  
87 CENTRAL DRIVE , FY1 5EE  
PREMISES LICENCE PLAN

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<b>Blackpool Council Licensing Service</b>				
Representation made by a Responsible Authority to an application for the grant / variation of a Premises Licence / Club Premises Certificate				
<b>Responsible Authority</b>				
Name of Responsible Authority	<b>LANCASHIRE CONSTABULARY</b>			
Name of Officer <i>(please print)</i>	PS1747 Parkinson			
Signature of Officer				
Contact telephone number	<b>01253 604074</b>			
Date representation made	<b>04</b>	<b>08</b>	<b>16</b>	
Do you consider mediation to be appropriate			NO	
<b>Premises Details</b>				
Premises Name	<b>Tipples</b>			
Address	87 Central Drive			
	Blackpool			
Post Code	FY15EE			
<b>Reasons for making representations</b>				
<p>I am in receipt of an application for a New Premises Licence for the above address.</p> <p>On behalf of the Chief Officer of Police, having reviewed the application the Police make formal objections on the following grounds:</p> <p>The Police base this objection on the existing Premises Licence being within the Off Licence Saturation Policy Area. The purpose of this Policy is to limit the number of Off Licensed Premises within a given geographic area, in order to reduce crime and disorder and promote the licensing objectives. The Policy sets out the following;</p> <ul style="list-style-type: none"> <li>The number, type and density of the premises selling alcohol in a particular area can lead to serious problems of nuisance and disorder. In these circumstances the impact of the premises taken as a whole can be far greater than that arising from individual premises. In most cases it would be impossible to identify an</li> </ul>				

individual premise as being the sole cause or major contributing factor.

- The potential impact on the promotion of the licensing objections by a significant number of licensed premises concentrated in one area is called cumulative impact. The cumulative impact of all the premises in an area upon the promotion of the licensing objectives is a proper matter for the Licensing Committee to consider.
- This application is within the saturation zone. The location of the proposed premises is on the outskirts of the town, servicing both the day time and night time economy. These premises will only add to the availability of alcohol and increase crime and disorder.

Alcohol misuse in the North West is the worst in the UK and Blackpool has high levels of alcohol related harm for the size of the population. Blackpool has widespread deprivation within the Central Wards of the town. A combination of poor quality housing lack of appealing employment and low aspiration within the resident population makes alcohol a convenient pastime. There are already approx. 180 off-licence premises in Blackpool (50% higher than national average) half of which are located in the most deprived wards in the town.

Tipples falls just within Talbot Ward on the border with Bloomfield Ward and is surrounded by HMOs, hotels, holiday flats and houses.

On the section on Central Drive where Tipples is located there are all 8 off-licenses within a half mile corridor of the road itself and a further 2 along adjoining streets.

In the past 28 days there were 113 incidents reported to Police along Central Drive alone, many of which are alcohol related. Complaints range from intoxicated males and females being abusive in the street, drunken neighbour disputes and domestic incidents where alcohol is involved.

Four crimes were directly alcohol related, three of which were violent crimes.

These incidents and crimes involving drunken and rowdy behaviour have mainly occurred on the streets and in residential premises. They have also occurred at various times of the day and night, indicating that it is the off-licenses that are fuelling the drunkenness as opposed to on-licensed premises.

Concerns have also been raised by the Local Community Beat Manager for the area, who has provided a statement outlining the issues.

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**

Lancashire Constabulary are objecting to Tipples being issues a Licence to sell alcohol.

However, should the committee deem fit to grant the premises a licence then in order to reduce the risk of crime and disorder we request the 'Sale by retail of alcohol hours' to 10:00 – 18:00 and also the following conditions to be placed on the licence:

1. CCTV will be installed internally and externally at the premises. Said CCTV system shall comply with the following criteria:

(a) The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises, with the exception of the toilets, shall be covered by the system;

(b) The system shall display on any recording the correct time and date of the recording;

(c) The system shall be recording during all hours the premises is open to the public;

(d) VCR tapes or digital recording shall be held for a minimum of 30 days after the recording is made and will be made available to the Police for inspection upon request;

(e) The system shall, as a minimum, record images of the head and shoulders of all persons entering the premises.

2. 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 police recent data or footage with the absolute minimum of delay when requested and will be able to provide a copy of such footage to the police in a readable format within 24 hours.
3. An A4 advisory sign indicating that CCTV is in operation at the premises should be displayed, at the main entrance and inside the premises.
4. The Police Licensing Unit shall be notified on any occasion when the CCTV system 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.
5. 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 sales 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 Lancashire Police or any authorised officer.
6. The licence holder is to support and rigorously enforce the 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.

If no suitable identification is provided sale of alcohol to them will be refused. Signs promoting this policy will be prominently displayed at public entrances and alcohol sales areas.

7. 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.
  
8. An incident book will be maintained, in which shall be recorded:
  - (a) All incidents of crime and disorder
  - (b) Refused sales to suspected under age / drunken persons
  - (c) A record of any person refused admission or asked to leave the premises
  - (d) Details of occasions upon which the Police are called to the premises

That book shall be available for inspection by a Police Officer or authorised person.
  
9. The licence holder and the Designated Premises Supervisor shall nominate another person, who will deputise for the Designated Premises Supervisor in the DPSs absence, and shall ensure that the identity of the deputy is known by all other staff when such absence occurs.
  
10. Single cans of beer or cider shall not be sold.
  
11. Alcohol hours will be changed to 10am-6pm daily
  
12. The display for alcohol will be less than 20% of the entire shop display. Any alcohol with an ABV above 7% will be stored behind the counter
  
13. No beer or cider with an ABV above 6.5% will be sold.

RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of: Edward Daniel WHITE

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 1 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:..... (witness) Date: 02/08/16

I am PC 6965 WHITE of the Lancashire Constabulary, currently stationed at Blackpool Police Station as the community beat manager of the Talbot and Tyldesley ward.

I am writing this statement in objection to a proposed alcohol licence for a shop called Tipples on Central Drive in Blackpool.

As the community beat manager for the ward on which this premises sits, I believe that, if it were to be granted a licence it would exacerbate the existing problems in that locale. There is a documented problem with alcohol related crime and disorder with 82 reported crimes linked to alcohol consumption on the WA42 area of the Talbot policing ward (basically the outer environs of Central Drive) since the 1st of January 2016.

Local residents have raised the issue of on-street drinking as a problem at the Blackpool Business Forum this month and there are regularly calls to service from members of the public complaining about the same issue. There is also a local bye-law prohibiting the consumption of alcohol on the street in Blackpool. It is also relevant that Blackpool town centre is currently subject to a PSPO (Public Space Protection Order) which has been put in place to further enforce the problem of street-drinking. It could also be argued that those regularly breaching the PSPO in relation to this issue are obtaining their alcohol from one of the numerous small off-licences and shops in the Central Drive area.

With there being numerous outlets in that vicinity, where off-sales of alcohol are available, allowing another premises a licence seems somewhat pointless given the aforementioned facts.

Other factors, such as littering and other anti-social behaviour are often linked with the consumption of alcohol. These problems are prevalent in the area of Central Drive with 18 anti-social behaviour (ASB) logs being created on Central Drive alone in the last 3 months. In expanding the area to the WA42 beat area, the number rises to 193 reported incidents of ASB.

Signature.....Signature Witnessed by .....

RESTRICTED (when complete)

**RESTRICTED (when complete)**

Signature.....Signature Witnessed by .....

**RESTRICTED (when complete)**



<b>Blackpool Council Licensing Service</b>			
Representation made by a Responsible Authority to an application for the grant / variation of a Premises Licence / Club Premises Certificate			
<b>Responsible Authority</b>			
Name of Responsible Authority	Public Health, Blackpool Council		
Name of Officer <i>(please print)</i>	Dr. Arif Rajpura		
Signature of Officer			
Contact telephone number	01253 476363		
Date representation made			
Do you consider mediation to be appropriate			NO
<b>Premises Details</b>			
Premises Name	<b>Tipples Off Licence</b>		
	87 Central Drive		
	Blackpool		
Post Code	FY1 5EE		
<b>Reasons for making representations</b>			
<p>The Public Health Department, Blackpool Council, write in reference to the new Premises Licence application for Tipples Off Licence, Central Drive, Blackpool.</p> <p>The applicant brings this application in full knowledge that this store is located in Bloomfield ward which have been subject to the Cumulative Impact Policy (CIP) since 2009.</p> <p>As stated in Blackpool Council's Statement of Licensing Policy 2015–2019</p> <p><i>The effect of the policy is to create a rebuttable presumption that any applications within the CIP will be refused. To rebut this presumption, an applicant would be expected to show through the operating schedule, and where appropriate, with supporting evidence, that the operation of the premises will not add to the cumulative impact already being experienced in the area... the policy will only be overridden in genuinely exceptional cases where the applicant can demonstrate that the granting of the application will not undermine the policy.</i></p>			

Following review of this application, Public Health, Blackpool Council, make a formal objection.

Public Health, as a Responsible Authority under the Licensing Act, is able to provide evidence of alcohol related health harms, particularly in relation to this area in which this applicant is seeking an alcohol licence.

#### Deprivation

Blackpool is ranked amongst the most deprived areas in the country. Specific areas in the central wards of Blackpool, including Bloomfield Ward, have the highest ranked levels of deprivation in Blackpool (Blackpool JSNA, 2016).

There is a statistical correlation between Blackpool's areas of deprivation and hotspots for violent crime, domestic abuse, and criminal damage, all associated with alcohol abuse to some degree. (Blackpool JSNA, 2016).

#### Domestic Violence

Alcohol misuse has a detrimental effect on families and society; 40% of domestic violence cases result from alcohol misuse and every week on average more than 100 children call Childline upset about their parents' alcohol and/or drug use (Blackpool Alcohol Strategy 2016-2019). Information from 'Safer Lancashire, MADE database, District Profile (2016)' reports that Bloomfield Ward has the highest rate of reported domestic abuse incidents in Blackpool, a rate of 56.2 per 1000 population.

#### Health related information

Recent health statistics show Bloomfield ward to have significantly higher numbers of hospital stays for alcohol related harm (SAR) than the National average (England). (Public Health England 2014/15).

#### Alcohol reported incidents

This qualifier is to be used to capture the characteristics and motivating factors around an incident where the consumption and effects of alcohol are more than merely incidental. The idea is to capture the circumstances where the consumption of alcohol has affected someone's behaviour and been a major contribution to the activities leading up to the incident.

- There were 341 reported incidents involving alcohol in 2015/16, an increase from 293 in 2014/15
- This was a rate of 51.0 per 1,000, the third highest in Blackpool
- Rates range from 1.5 per 1,000 in Stanley ward to 74.9 per 1,000 in Claremont ward

### Local Area Concerns

Public Health is aware of the problem of early morning street drinking within the locality in which this premise is located. These problems have a negative impact on the public safety and sense of health and wellbeing of the local community. The applicant states within the Public Nuisance objective of the application, *“customers will be asked not to stand around loudly talking in the street outside premise”* however, Public Health believe that the applicant has not taken the wider challenging factors of the area into consideration within their application. The applicant has failed to address the sale of low value/high alcohol products and the potential negative impact of increasing alcohol availability in the early morning period within this locality. The applicant has not stated their policy on the sale of low value/high alcohol products and any drinks discounting that would be adopted. This information is required as stated within the Blackpool Statement of Licensing Policy.

As stated in the Statement of Licensing Policy the burden of proof rests with the applicant in this case, the Public Health Department have sought to summarise the challenges in Bloomfield ward;

- High levels of alcohol harm.
- High levels of Domestic Abuse.
- High number of alcohol reported incidents
- High levels of alcohol related admissions.
- Anecdotal evidence from surrounding residents and premises of high level street drinking and nuisance
- Increased accessibility of alcohol.

Public Health would ask the Licensing Committee to consider the potential risks associated with the increase in the availability of alcohol within this Saturation Area in their deliberations as to whether to grant this application.

#### **For New / Variation Applications only.**

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**

N/A

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<b>Blackpool Council Licensing Service</b>				
<b>Representation made by a Responsible Authority</b>				
<b>Responsible Authority</b>				
Name of Responsible Authority	<b>Licensing Authority</b>			
Name of Officer <i>(please print)</i>	Mark Marshall			
Signature of Officer				
Contact telephone number	<b>01253-478493</b>			
Date representation made	<b>10</b>	<b>08</b>	<b>2016</b>	
Do you consider mediation to be appropriate				NO
<b>Premises Details</b>				
Premises Name	<b>Tipples</b>			
Address	87 Central Drive			
	Blackpool			
Post Code	FY1 5EE			
<b>Details of your representation (Please refer and attach any supporting documentation)</b>				

The premises are located within Talbot Ward close with the border of Bloomfield, both of which are subject to a cumulative impact policy in relation to Off Licenced sales of alcohol. Paragraph 4.5 of the statement of Licensing Policy sets out Blackpool Councils position on Off Licence Applications within the saturated wards.

Central Drive is commonly known as a problematic area with high levels of deprivation, anti-social behaviour and large numbers of Off Licences and takeaways.

For many years Street Drinking problems have been reported and are well known to occur at what was the “ old bank “ directly next to buy low bargains convenience store. This location is notoriously problematic and is opposite a major junction, Chapel Street and Central Drive meaning that it does cause unrest amount the community and visitors.



The picture above shows the junction, the “old bank” is directly opposite the junction with a black door and street drinkers regularly congregate on the steps.

On 10<sup>th</sup> August 2016 at 10.30 hrs where I spoke with the applicant Ebrima Jagne, I explained the purpose of my visit and asked him to clarify where his displays of alcohol would be. He pointed out that half the chiller cabinet would be used and half the shelving next to the chiller plus spirits would be behind the counter



As can be seen from the photographs this shelving and chiller dominate the wall on the right hand side of the shop meaning that the overall display area for alcohol would be about 50% a statement that was put to the applicant at the time of the visit on which he agreed. This does not include any stock he would be putting behind the counter.

Having relooked at the application the area indicated for alcohol display is much larger than the one he pointed out to me and there is no reference to the spirits being sold from behind the counter, which is standard practice but one would have expected this to be on the application.

A cursory examination of the shop revealed some fire safety concerns in that the fire separation between his shop and the accommodation above had been compromised in that

there were holes in the ceiling and this was detected from just a visual inspection without being able to lift any of the ceiling tiles.



Picture above show gaps and holes to the fire separation between floors, which can only be maintained by adequate fire boarding that has been properly filled or plaster board with a layer of skim plaster finish.

I asked the applicant if the accommodation above was occupied and he confirmed that it was a residential flat, I then asked if he had a fire alarm which was linked to the accommodation and he confirmed that he had no fire alarm fitted at all. The matter has been referred to Lancashire fire and Rescue Services on my return from this visit.

The shop has already been signed up as an Off Licence which is presumptuous given that the burden to show that the operation will not add to the existing problems in the area rests with the applicant. With the standard of the application and the challenges in the area I feel he has come nowhere near to discharging this burden and my submission would be that the operation is not exceptional and should be refused.





**For New / Variation Applications only.**  
It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.

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<b>Blackpool Council Licensing Service</b>				
<b>Representation made by a Responsible Authority</b>				
<b>Responsible Authority</b>				
Name of Responsible Authority	<b>Blackpool Child Protection Licensing Officer</b>			
Name of Officer <i>(please print)</i>	Louise Scales			
Signature of Officer	<i>L.M. Scales</i>			
Contact telephone number	<b>01253 477538</b>			
Date representation made	<b>15</b>	<b>08</b>	<b>2016</b>	
Do you consider mediation to be appropriate				NO
<b>Premises Details</b>				
Premises Name	<b>TIPPLES OFF LICENCE</b>			
Address	87 Central Drive			
	Blackpool			
Post Code	FY1 5EE			
<b>Details of your representation (Please refer and attach any supporting documentation)</b>				
<p>My role as Child Protection Licensing Officer focusses on managing the various risks that makes both children and adults unsafe; alcohol constituting a significant risk factor.</p> <p>Tipples, 87 Central Drive, Blackpool are located within the Cumulative Impact Policy Area in relation to Off Licenced sales of alcohol.</p> <p>The premise is at the heart of an area with high levels of deprivation, anti-social behaviour and already has a large number of off licences and takeaways. Additional licensed premises would have a negative impact on the area.</p> <p>I am concerned that based on the application the applicant is able fully appreciate the requirements to comply with the licensing objectives. No consideration has been given as to how the operation would not add to existing problems in the area.</p> <p>I would recommend that this application is refused.</p>				

**For New / Variation Applications only.**

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**