

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	27 June 2017

APPLICATION FOR A PREMISES LICENCE – 378-380 Vicarage Lane

1.0 Purpose of the report:

1.1 To consider an application for a Premises Licence for 378-380 Vicarage Lane.

2.0 Recommendation(s):

2.1 The panel are 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 the application must be considered by the Licensing Panel.

4.0 Background Information

4.1 On 23rd April 2017, the Licensing Service received an application from Pizzaco Limited trading as the Pizza Company for the grant of a premises licence for 378-380 Vicarage Lane Blackpool.

4.2 The application requests a Premises Licence giving permission for regulated the sale of alcohol for consumption off the premises 12.00 - 23.00 hours daily. A copy of the application is attached at Appendix 4a.

4.3 Representations have been received from Cllrs Hutton and L Taylor. Copies of the representations are attached at Appendix 4b.

4.4 **Local policy considerations**

4.11 Applicants seeking a licence that would enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:

- The person they are selling alcohol to is over 18
- That alcohol is only delivered to a person over 18
- That a clear document trail of the order process from order to delivery is maintained (with times and signatures) and available for inspection by an authorised officer
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

4.5 **National policy considerations**

3.10 – Persons who run premises providing “alcohol delivery services” should notify the relevant licensing authority that they are operating such a service in their operating schedule. This ensures that the licensing authority can properly consider what conditions are appropriate.

9.42 – Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case by case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

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

9.44 – 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.

4.6 **Observations**

The applicant has agreed a number of conditions with the responsible authorities which will be added as licence conditions if the application is granted:

Child Protection Licensing Officer

- Only fine wines to be sold. No “alco pops”, lager over 6% ABV, spirits or novelty drinks to be sold.
- All phone delivery orders for alcohol will be limited to a maximum of 2 litres per individual order and ancillary to food orders over £5.00.
- All phone order deliveries shall be paid for via credit/debit card and secure records will be kept including date/time, delivery address and name of purchaser.
- The licence holder is to support and rigorously enforce the Challenge 25 proof of age policy on all sales of alcohol. Appropriate signage shall be clearly displayed with regards to Challenge 25. Such signage shall include a poster stating acceptable identification.
- 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: photo driving licence, passport, proof of age standards scheme card; any other locally or nationally approved form of identification which may be introduced in the future.
- The policy shall also be adhered to when delivering to the person’s home address and a sale refused if acceptable ID is not seen.
- 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.

Police

- CCTV will be installed internally and externally at the premises and will comply with the following: i. The system will display on any recording the

correct time and date of the recording ii. digital recording shall be held for a minimum of 21 days after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request. iii. 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 a Police Officer or to a Local Authority Enforcement Officer.
- The licence holder 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.
- Bi-annually documented maintenance checks of the CCTV system, including the recording system, will be undertaken by the licence holder to ensure that the system is in good working order and fit for purpose.
- No boxing machines to be in operation in the premises.
- No alcohol shall be consumed on the premises.
- Apart from the shop display, alcohol shall be stored in a locked room at the rear of the premises to which customers shall have no access.
- All phone delivery orders for alcohol will be limited to a maximum of 2 litres per individual order and ancillary to food orders over £5.00.
- A record of all transactions will be maintained. The transactions record will contain the name, address, details of the order along with the requested time of the order. This shall be documented and available for inspection to Police officers or other authorised persons
- 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
 - iv. Armed forces ID card
- All staff involved in the sale and supply of alcohol shall receive suitable training in relation to the proof of age policy. All such staff are to receive regular refresher training at intervals of at least 6 months. Records to evidence this will be made available to officers on request.
- All deliveries must be accepted by an individual in person (i.e. not left in a safe place or unsigned for). The Challenge 25 proof of age policy shall also be

adhered to when delivering to person's home addresses and a delivery refused if acceptable ID is not seen.

Licensing Authority

All refusals of sales/delivery of alcohol shall be reported to the designated premises supervisor or premises licence holder as soon as practicable. The details of the refusals shall be recorded in a book kept at the premises and available for inspection by a Police Officer or Authorised Officer. The details shall include the date, time and location of the delivery address, the staff member who refused and a brief description of the grounds for refusal such as no ID, or drunk etc.

4.7 Does the information submitted include any exempt information? No

4.8 **List of Appendices:**

Appendix 4a: Application

Appendix 4b: Representation from Councillors Hutton and L Taylor

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.