

Al Amir – update to panel report 26 June 2017

Paragraph 4.6 of the original panel report makes reference to the decision to revoke the current premises licence issued in respect of Al-Amir being heard at Blackpool Magistrates' Court on 26th June 2017. At that hearing the appeal was dismissed with the Magistrates finding that "*the decision to revoke was in all the circumstances reasonable and proportionate and we can see no reason to interfere with the decision*". The effect of this decision is that the revocation of the premises licence PL1391 takes immediate effect.

The panel should also note that this premises is situated within the town centre saturation area and therefore section 4.7 of the Council's statement of licensing policy is relevant in particular the following paragraphs:

- 4.7.6 The effect of the policy is to create a rebuttable presumption that applications listed above 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 licensing authority expects that applications covered by this policy will be discussed with the responsible authorities in advance of submission. Applications should include detailed proposals dealing with the seating provision for customers (what percentage of proposed trading area will be seated), the provision of food, the type and style of entertainment to be offered. Premises which intend to primarily offer vertical drinking are unlikely to be able to rebut the presumption of refusal.
- 4.7.7 This policy does not act as an absolute prohibition on the granting of new 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.
- 4.7.8 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.