

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	2 August 2017

TEMPORARY EVENT NOTICE – FOOD LOUNGE

1.0 Purpose of the report:

- 1.1 To consider temporary event notices submitted by Amir Abdun in respect of events taking place 11-13 August 2017, 18 – 20 August 2017, 25 – 29 August 2017, 1 -3 September 2017.

2.0 Recommendation(s):

- 2.1 The panel is requested to consider the objection and determine whether to allow the event to go ahead, add conditions to the TEN or issue a counter notice.

3.0 Reasons for recommendation(s):

- 3.1 An objection has been received therefore there must be a hearing to consider whether to issue a counter notice.

- 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.

4.0 Background Information

- 4.1 On 24 July 2017 the Licensing Service was served with temporary event notices on behalf of Food Lounge, 22 Market Street Blackpool. This notice relates to the provision of late night refreshment 23.00 – 03.30 hours on the following dates 11-13 August 2017, 18 – 20 August 2017, 25 – 29 August 2017, 1 -3 September 2017.

The Police have objected to the events taking place on the ground of preventing crime and disorder. A hearing is therefore required to determine whether a counter notice should be issued to prevent the event from taking place. A copy of the objection is attached.

4.2

Local policy considerations

None.

4.3

National policy considerations

Section 7 – Temporary Event Notices is relevant

The system of permitted temporary activities is intended to be a light touch process where notice is given by the premises user that they intend to carry out specified activities. The police and environmental health team have three working days to object to the notice on the basis of any of the four licensing objectives.

Observations

The late TEN referred to in the police objection is not for consideration by the panel today. Due to the short timescales involved where an objection is received to a late TEN the notice is automatically rejected without the need for a hearing.

If the panel decide to revoke the premises licence today this decision will not take effect for a period of 21 days (23 August 2017). If an appeal is lodged within that time the panel's decision is suspended pending the outcome of the appeal hearing. The panel may wish to question why the TENs are required, if not to avoid the licence conditions, as the main licence permits longer trading hours than applied for on the TEN.

At the time of the police objection Curtis Marsden was the licence holder. On 26 July 2017 the licensing service received an application from Amir Abdun to transfer the licence into his name. This application was to take immediate effect therefore Mr Abdun is to be regarded as the current licence holder.

At the hearing the panel can either let the events go ahead, serve a counter notice to prevent the event going ahead or after considering the representations, the panel may decide that it is appropriate for the promotion of the licensing objectives to impose one or more conditions onto the TEN. The panel can only add existing conditions from the premises licence.

The licence has the following conditions:

Annex 2 - Conditions consistent with the Operating Schedule

- 1 The non-standard timings for Late Night Refreshment and Premises Opening Hours are as follows:
 - a) On the Friday to Monday of Easter, May, Spring and August Bank Holidays an additional hour will be permitted
 - b) On Christmas Eve, Boxing Day and New Years Eve an additional hour will be permitted
- 2 CCTV, which complies with the following criteria, will be installed at the premises.
 - a) The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary.
 - 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 are open to the public;
 - d) VCR tapes or digital recording shall be held for a minimum of 28 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.
 - f) A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police, or any officer acting for a Responsible Authority, recent data or footage with the absolute minimum of delay when requested.
- 3 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.
- 4 Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.
- 5 The premises have installed a wall-mounted screen, no smaller than 32", mounted in a prominent position within the premises, so that patrons can view live-recorded CCTV footage.
- 6 At any time the premises are open to the public after 03:00 hours, the premises licence holder shall employ a minimum of one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by

Lancashire Constabulary.

- 7 There will be no boxing machines in operation in the premises.
- 8 An efficient queuing system will be in operation and the licence holder will arrange adequate supervision of any queue to prevent disorderly behaviour.
- 9 There will be fixed seating in the premises for the benefit of customers.
- 10 During the hours of licensable activities Mr Nabil Awadi will not attend the premises for any purpose. This will include the office area upstairs and any other rooms that are directly adjourned / linked to the premises. All these areas must be available for inspection during licensing hours.
- 11 No persons under the age of 18 will be allowed on the premises after 23:00 hours unless they are a member of staff working at the premises at the time.

4.4 Does the information submitted include any exempt information? No

4.5 **List of Appendices:**

Appendix 4a: Temporary Event Notices

Appendix 4b: Objection from Lancashire Constabulary

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.