

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Services
<b>Date of Meeting :</b>	6 September 2017

## **APPLICATION TO VARY APREMISES LICENCE – Milano’s**

### **1.0 Purpose of the report:**

1.1 To consider an application to vary a Premises Licence in respect of Milano’s, 7 Station Road.

### **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 to vary a Premises Licence is received and objections have been received it must be considered by a Licensing Panel.

### **4.0 Background Information**

4.1 On 11 July 2017, the Licensing Service received an application from Tegi Hassan to vary the premises licence WA0255, Milano’s, 7 Station Road.

4.2 Currently the premises are licensed for the provision of late night refreshment 23.00 – 01.00 hours Sunday – Thursday and 23.00 – 03.00 Friday - Saturday.

- 4.3 The application requests an extension of the hours for the provision of late night refreshment 23.00 – 05.00 hours daily. A copy of the application is attached at Appendix 4a.
- 4.4 Representations have been received from a member of the public. A copy of the representation is attached at Appendix 4b.
- 4.5 **Local policy considerations**  
None

**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.

4.6 **Observations**

This licence was granted on 3 January 2017 to Cengiz Bal and was transferred to Mr Hassan on 26 May 2017.

Mr Hassan has served temporary event notices to extend the trading hours until 03.00 on two occasions 25-29 June 2017 and 11-17 July 2017

The following conditions are currently endorsed on the licence:

There are no Annexe 1 conditions because there are no mandatory conditions relating to the provision of late night refreshment.

## **Annex 2 - Conditions consistent with the Operating Schedule**

- 1 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.
- 2 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.
- 3 Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.
- 4 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.
- 5 There will be no boxing machines in operation in the premises.
- 6 Risk assessments carried out by or on behalf of the Licence Holder which relate to a licensing objective will be available for inspection by an officer or a responsible authority.
- 7 No persons under the age of 16 will be allowed on the premises after 23.00.
- 8 An efficient queuing system will be in operation and the licence holder will

arrange adequate supervision of any queue to prevent disorderly behaviour.

4.7 Does the information submitted include any exempt information? No

4.8 **List of Appendices:**

Appendix 4a: Application

Appendix 4b: Public representation

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.