

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	28 September 2017

APPLICATION TO REVIEW A LICENCE – Heatwave

1.0 Purpose of the report:

1.1 To consider an application by the Licensing Authority to review the Premises Licence issued in respect of Heatwave, 1A Dickson Road, Blackpool.

2.0 Recommendation(s):

2.1 The panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

3.1 This application must be determined by a panel.

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 a review application is submitted it must be determined by a Licensing Panel.

4.0 Background Information

4.1 Heatwave, 1A Dickson Road, Blackpool has the benefit of a premises licence authorising the provision of late night refreshment 23.00 – 04.45 hours Monday to Sunday.

4.2 On 3 August 2017 the Licensing Service received an application from The Licensing Authority to review this licence on the grounds of the prevention of crime and disorder and prevention of public nuisance. A copy of the application is attached at Appendix 4a.

4.3 Representations in support of the review have been received from Blackpool Council's Child Protection Licensing Officer (Appendix 4b) and Lancashire Constabulary (Appendix 4c).

4.4 The licence holder is currently Mr Sraj Alish.

Local policy considerations

4.5 None

National policy considerations

4.6 Section 11 reviews is relevant in particular:
11.20 – In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

If a suspension or revocation is being considered 11.23 should be taken into account “it will always be important that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.”

The panel has the following powers:

1. Take no action
2. Modify the conditions of the licence (by adding removing or varying conditions)
3. Exclude a licensable activity from the licence
4. Suspend the licence for up to three months
5. Revoke the licence.

Observations

4.7 This licence has the following conditions endorsed upon it:

- 1 No entertainment of an adult nature will take place on the premises.
- 2 The fire alarm installed will be maintained on a six monthly contract.
- 3 No persons under the age of 16 will be allowed on the premises after 23.00

hours.

- 4 CCTV will be installed internally and externally at the premises and will comply with the following:

The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system.

The system will display on any recording the correct time and date of the recording;
The system will make recordings during all hours the premises are open to the public;
VCR tapes or digital recording shall be held for a minimum of 31 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;
The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.

- 5 The premises shall install a wall mounted screen, no smaller than 42", in a position within the premises so that patrons can view live recorded CCTV footage.
- 6 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times when the takeaway is open to the public. This person will be able to show police recent data or footage with the minimum of delay when requested. This data or footage reproduction should be almost instantaneous.
- 7 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 8 Frequent collection of all litter dropped within the vicinity of the licensed premises to be collected and removed, at the licence holder's expense, at a frequency of not less than 60 minute intervals during opening hours. This includes washing away to the gutter any spilled food.
- 9 The premises licence holder shall provide suitable containers for the storage of waste, which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. Such waste to be removed on a daily basis.
- 10 At least one SIA registered door supervisor will be on duty from 03.00 hours until the premises closes. The supervisor shall wear reflective identification as approved by Lancashire Constabulary.

- 11 A risk assessment will be carried out by the licence holder to consider the need for additional door supervisors at busier periods.
- 12 A responsible person appointed by the licence holder will be available on the premises during the hours the licensable activity is taking place.
- 13 No food may be served after 04.45 and all members of the public will have left the premises by 05.00.

4.8 Does the information submitted include any exempt information? No

4.9 **List of Appendices:**

Appendix 4a: Review Application submitted by the Licensing Authority
Appendix 4b: Representation from Child Protection Licensing Officer
Appendix 4c: Representation from Lancashire Constabulary

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.