

Report to: **Licensing Panel**

Date of Meeting: 3 August 2018

APPLICATION FOR A PREMISES LICENCE – The Cafe Guest House

1.0 Purpose of the report:

1.1 To consider an application for a Premises Licence at The Cafe Guest House, 33 Wellington Road, Blackpool, FY1 6AR.

2.0 Recommendation(s):

2.1 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 it must be considered by the Licensing Panel.

4.0 Background Information

4.1 On 11th June 2018, the Licensing Service received an application from Ms Erika Henysova Nemecka to grant a premises licence for The Cafe Guest House, 33 Wellington Road, Blackpool.

4.2 The application requests permission to provide live music and recorded music from 10.00 to midnight daily (with an additional hour on the Fri to Mon of bank holiday weekends, Christmas Eve and New Years Eve), late night refreshment from 23.00 to

05.00 daily and supply of alcohol for consumption on and off the premises 24 hours a day to residents and their bona fide guests (10.00 to midnight to persons other than residents). A copy of the application is attached at Appendix 4a.

4.3 Representations have been received from nine members of the public. Copies of the representations are attached at Appendix 4b.

4.4 **Local policy considerations**
None

National policy considerations

9.37 – as a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas.

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.

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 (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the 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 objectives and nothing outside those parameters.

4.5 **Observations**

None.

4.6 Does the information submitted include any exempt information? No

4.7 List of Appendices:

Appendix 4a: Application

Appendix 4b: Representations from members of the public objecting to the application

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.