

Report to: **Licensing Panel**

Date of Meeting : 4 September 2018

APPLICATION FOR A PREMISES LICENCE – Premier, 190-192 Central Drive

1.0 Purpose of the report:

1.1 To consider an application for a Premises Licence at Premier, 190-192 Central Drive, Blackpool.

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 is submitted and representations received it must be considered by the Licensing Panel.

4.0 Background Information

4.1 On 7 June 2018, the Licensing Service received an application from Mr Francis Shanthakumar Jeevaratnam for a new Premises Licence for Premier, 190-192 Central Drive.

4.2 The application requests permission to sell alcohol for consumption off the premises 08.00 – 23.00 hours daily. A copy of the application is attached at Appendix 4a.

4.3 Representations have been received from Lancashire Constabulary and Public Health. Copies of the representations are attached at Appendices 4b and 4c.

4.4 **Local policy considerations**

This premises is situated within Bloomfield Ward which is one for four wards that form part of the off-licence saturation policy. The effect of this policy is to create a rebuttable presumption that applications 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 following sections of the policy are relevant:

4.8.3 This policy does not act as an absolute prohibition on the granting of new off 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.

4.8.4 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.

4.5 **National policy considerations**

9.12 – Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations.

9.43 – 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.

14.44 – After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its (saturation) policy in the light of

the individual circumstances of the case... If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

4.6 Observations

This shop was previously licensed for the sale of alcohol for consumption off the premises from 08.00 to midnight daily. This licence lapsed in September 2017 when the company that held the licence at that time (Logic Wise Ltd) went into administration.

4.7 Does the information submitted include any exempt information? No

4.8 List of Appendices:

Appendix 4a: Application
Appendix 4b: Representation from Lancashire Constabulary
Appendix 4c: Representation from Public Health

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.