

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	23 rd April 2015

APPLICATION TO REVIEW A LICENCE – Los Gringos

1.0 Purpose of the report:

1.1 To consider an application by the Licensing Authority to review the licence issued in respect of Los Gringos, 1 Dickson Road.

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 received it must be determined by the Licensing Panel

4.0 Background Information

4.1 Los Gringos, 1 Dickson Road Blackpool has the benefit of a Premises Licence authorising the provision of late night refreshment 23.00 – 05.00 hours daily. On 12th March 2015 the Licensing Service received an application from the Licensing Authority to review this licence on the grounds of crime and disorder, public safety and public nuisance. A copy of the application is attached.

4.2 Representations in support of the application have been received from the Police and Health and Safety. Copies of the representations are attached.

4.3 The licence holder is Mostaffa Blamane. He has held the licence since July 2013.

4.4 **Local policy considerations**

None

4.5 **National policy considerations**

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 have 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. Remove the DPS
5. Suspend the licence for up to three months
6. Revoke the licence.

Observations

This licence was granted in February 2006 and has the following conditions endorsed:

Annex 1 - Mandatory conditions

Door Supervision

- 1 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

Annex 2 - Conditions consistent with the Operating Schedule

Unless conditions 1, 7, 8, 9, 12 and 13 are complied with, the premises only have permission to trade until 3am.

- 1 No music shall be played on the premises.
- 2 The premises licence holder shall provide adequate ventilation so as to ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to properties within close proximity.
- 3 The premises licence holder shall provide suitable containers for the storage of waste by vandals, thieves, animals, accidental spillage or inclement weather.
- 4 The collection and disposal of any waste / refuse should not take place externally between the hours of 2200 - 0800.
- 5 The premises licence holder will arrange for litter dropped in the vicinity of the licensed premises to be collected and removed at the licence holder's expense at a frequency of not more than sixty minute intervals during opening hours. This includes washing away to the gutter any spilled food.
- 6 Any external light source associated with the premises shall not cause a nuisance or disturbance to any property within close proximity.
- 7 The licensee shall provide and maintain suitable and sufficient CCTV surveillance systems covering the premises internally and externally.
- 8 The CCTV control room will be notified:
 - a) On any occasion when the premises CCTV or radio system is inoperative,

b) When the CCTV or radio system has been brought back into use.

- 9 The licence holder shall notify the Police Licensing Unit on any occasion when the CCTV or radio system 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.
- 10 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.
- 11 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 12 The licence holder shall join and participate in the Radiolink scheme.
- 13 SIA registered doorstaff will be employed on the premises each Friday and Saturday between 3am and 5am, such persons to wear a reflective jacket of a type approved by Lancashire Constabulary.
- 14 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises is open to the public. This staff member will be able to show Police recent data or footage with the absolute minimum of delay when requested. This data or footage reproduction should be almost instantaneous.
- 15 The premises shall have installed a wall-mounted screen, no smaller than 42", mounted in a prominent position within the premises, so that patrons can view live-recorded CCTV footage.

4.5 Does the information submitted include any exempt information? No

4.6 **List of Appendices:**

Appendix 4a: Application for a Review

Appendix 4b: Representations from Lancashire Constabulary

Appendix 4c: Representations from Health and Safety

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