

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Services
<b>Date of Meeting :</b>	23 <sup>rd</sup> April 2015

## **APPLICATION TO REVIEW A LICENCE – Pizza Luigi**

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

1.1 To consider an application by the Licensing Authority to review the licence issued in respect of Pizza Luigi, 3A 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 received it must be determined by the Licensing Panel.

### **4.0 Background Information**

4.1 Pizza Luigi, 3A Dickson Road Blackpool has the benefit of a Premises Licence authorising the provision of late night refreshment 23.00 – 05.00 hours daily. On 12<sup>th</sup> 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 At the time the application was submitted the licence holder was Soliman Salama. He had held the licence since January 2015. On the 19<sup>th</sup> March 2015 the licensing service received an application from Mohamed Abdelkhalek to transfer the licence into his name. Mr Abdelkhalek will be the sixth licence holder since the licence was first issued in July 2007.

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 July 2007 and has the following conditions endorsed:

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

- 1 The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities. CCTV recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the enforcement authorities.
- 2 At any time the premises are open to the public after 0300, the premises licence holder shall employ one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary.
- 3 Any individual employed on the premises to carry out a security activity must be licensed by the SIA.
- 4 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 5 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. Litter shall include any used cigarette material that has been discarded by staff and customers.
- 6 The premises licence holder shall provide suitable containers for the storage of waste (to include waste oil), which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. These containers shall be emptied on a regular basis by a Licensed Waste Carrier and Waste Transfer Notes shall be provided to any authorised officer of Blackpool Council as and when required.
- 7 The licensee shall ensure that staff arriving before 0900 or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.
- 8 Noise from any mechanical ventilation or refrigeration plant shall be inaudible within the nearest sensitive properties or, at the discretion of the Local

Authority, shall not exceed some other pre-agreed limit, which does not cause unreasonable disturbance to the residents of these properties or their guests.

- 9 The volume of any recorded music shall not be played at a level that predominates over other activities within the premises and in turn, shall not cause a nuisance or disturbance to any property within close proximity.
- 10 The licence holder shall ensure that adequate ventilation is provided, so as to ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to properties within close proximity.
- 11 The collection and disposal of bottles and refuse should not take place externally between the hours of 2200 - 0800.
- 12 Any external light source associated with the premises shall not cause a nuisance or disturbance to any property within close proximity.

4.5 Does the information submitted include any exempt information? No

4.6 **List of Appendices:**

Appendix 4a: Application for a Review of a Premises Licence  
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