

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	18 th August 2015

APPLICATION TO REVIEW A PREMISES LICENCE – Coliseum Off-Licence

1.0 Purpose of the report:

1.1 To consider an application by the Weights and Measures to review the Premises Licence issued in respect of Coliseum Off-Licence, 53 Tyldesley 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 an application for the review of a Premises Licence is receiving it must be considered by the Licensing Panel.

4.0 Background Information

4.1 The Coliseum Off-Licence, 53 Tyldesley Road Blackpool has the benefit of a Premises Licence authorising:

- The sale of alcohol for consumption off the premises 08.00 – 01.00 (10.00 – 22.30 on Sunday),
- The provision of late night refreshment Sunday-Thursday, 23.00 – 01.00 Friday-Saturday 23.00 – 03.00 hours.

4.2 On 23rd June 2015 the Licensing Service received an application from Weights and Measures to review this licence on the grounds of crime and disorder, public safety and protection of children from harm. A copy of the application is attached.

4.3 Representations in support of the application have been received from the Police, Licensing Authority and Health and Safety. Copies of the representations are attached.

4.4 The licence holder is Sraj Alesh. He has held the licence since April 2006. Mr Alesh is also the Designated Premises Supervisor.

4.5 **Local policy considerations**

This premises is situated in Bloomfield Ward, which forms part of the Off Licence Saturation Policy area.

4.6 **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.

4.7 Observations

This licence was granted in 2005 and has the following conditions endorsed:

Annex 1 - Mandatory conditions

1 Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

- a) Monday to Saturday 0800 to 0100 the following morning
- b) Sunday 1000 to 2230

The above restrictions do not prohibit:

- a) During the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) The sale of alcohol to a trader or club for the purposes of the trade or club;
- d) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air force;

2 Alcohol shall not be sold in an open container or be consumed in the licensed premises.

3 No supply of alcohol may be made under the premises licence -

- a) At a time when there is no designated premises supervisor in respect of the premises licence,

or

- b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

4 Every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.

In force 01/10/10

- 5 The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 year of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions consistent with the Operating Schedule

- 1 The opening hours of the premises and the hours for the provision of Late Night Refreshment may be extended until 0300 from June 1st - October 31st.
- 2 The premises are to be equipped with a CCTV system capable of holding 35 days of recordings, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities.
- 3 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.
- 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.
- 6 The Licence holder is to support and rigorously enforce the Challenge 21 proof of age policy. Any person who looks or appears to be under the age of 21 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable: UK photo driving licence, Passport, Proof of Age Standards Scheme Card.
- 7 A refusals book will be kept at the premises which is available for inspection by an authorised officer.
- 8 The Lytham Road doors will be closed at 2300 hours.
- 9 Security personnel will be employed between the hours of midnight and 0100.

4.8 Does the information submitted include any exempt information? No

4.9 **List of Appendices:**

Appendix 4a: Application

Appendix 4b: Representation from Lancashire Constabulary

Appendix 4c: Representation from the Licensing Authority

Appendix 4d: Representation 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