

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

APPLICATION TO REVIEW A LICENCE – Bell’s Convenience

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 Bell’s Convenience, 152 Palatine 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 received it must be considered by a Licensing Panel.

4.0 Background Information

4.1 Bell’s Convenience , 151 Palatine Road Blackpool has the benefit of a premises licence authorising the sale of alcohol for consumption off the premises Monday-Saturday 07.00 – 22.00, Sunday 10.00 – 16.00

4.2 On 1st July 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 at the time the review was submitted was Amer Khan. On 17th July 2015 an application was received to transfer the licence to Jeyabalan Sornalingam.

4.5 **Local policy considerations**

None

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 2006 and has the following conditions endorsed:

Annex 1 - Mandatory conditions

- 1 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.
- 2 Every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.
- 3 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 All staff to have received suitable training in relation to the proof of age scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request.
- 2 The Licence holder is to support and rigorously enforce Challenge 21 or similar company policy 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: -

- i. UK photo driving licence
 - ii. Passport
 - iii. Proof of Age Standards Scheme Card
- 3 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 enforcement Authorities.

- 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 Access of spirits will be restricted to the secure staff area and sale and supply will be by assistant only.
- 6 The premises are operated in accordance with the principles outlined by the 'Nightsafe' Initiative, as are relevant to those premises, and indicated in the associated leaflet.
- 7 The wall between the shop and 149 Palatine Road shall be soundproofed.
- 8 Litter bins are to be provided by the licence holder.

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