

Public Document Pack

Blackpool Council

25 February 2020

To: Councillors Mrs Callow JP, Critchley and Hutton

The above members are requested to attend the:

LICENSING PANEL

Wednesday, 4 March 2020 at 2.00 pm
in Committee Room B, Town Hall, Blackpool

A G E N D A

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.

B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.

C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION TO VARY A PREMISES LICENCE - SUGAR AND SPICE, 2-4 QUEEN STREET, FY1 1PD (Pages 1 - 44)

To consider an application to vary the Premises Licence at Sugar and Spice, 2-4 Queen Street, Blackpool, FY1 1PD.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Chris Williams, Democratic Governance Adviser, Tel: (01253) 477153, e-mail: chris.williams@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to: LICENSING PANEL

Date of Meeting : 4 March 2020

APPLICATION TO VARY A PREMISES LICENCE – SUGAR AND SPICE, 2-4 QUEEN STREET, BLACKPOOL, FY1 1PD

1.0 Purpose of the report:

1.1 To consider an application to vary Premises Licence PL0736 issued in respect of Sugar and Spice, 2-4 Queen Street, Blackpool, FY1 1PD.

2.0 Recommendation(s):

2.1 To consider the application and determine whether the granting of this variation 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:

4.0 Background Information

4.1 On 8 January 2020, the Licensing Service received an application from Mr Emad Abuaassi to vary the Premises Licence issued in respect of Sugar and Spice, 2-4 Queen Street, Blackpool.

4.2 The licence currently authorises the following activities:

Sale by retail of alcohol for consumption on and off the premises – Monday to

Sunday 11.00 to 01.00

Performance of live music – Monday to Sunday 11.00 to 01.00

Entertainment of a similar description Monday to Sunday 11.00 to 01.00

Late night refreshment Monday to Sunday 23.00 to 01.00

Alcohol is not currently being served as there is no Designated Premises Supervisor named on the licence. No entertainment is currently being provided either as the premises is only operating as a takeaway.

- 4.3 The application requests the removal of the sale of alcohol, live music and similar entertainment from the licence as this is no longer required due to the change in nature of the premises from a restaurant to a takeaway (it was previously known as Nunzios Italian Restaurant).

A number of conditions which would no longer be relevant due to the removal of the above activities have been requested to be removed.

New plans have been submitted due to the reduction in the size of the premises.

The hours for Late Night Refreshment have requested to be extended.

On 24 January the applicant put in writing a request to amend his application by volunteering additional conditions and adjusting the terminal hour for late night refreshment to 03.00 on Sunday to Thursday evenings and to 04.00 on Friday and Saturday evenings.

- 4.4 A copy of the application and the applicant's amendments is attached.
- 4.5 Representations have been received from Lancashire Constabulary and the Licensing Authority. Copies of the representations are attached at Appendix 4(b) and (c) respectively.

Local policy considerations

This premises is situated within the town centre saturation area. Blackpool Council's Licensing Policy creates a rebuttable presumption that applications in this area will be refused. The following sections of the policy are relevant:

4.7.1 The licensing authority has for some years recognised that the Town Centre and Promenade is an area where the behaviour of customers of all of the premises taken together has a greater impact than normal on the licensing objectives. For this reason the town centre saturation area was created.

4.7.3 Due to concerns about crime & disorder and anti-social behaviour arising from the number of takeaways in the area, the town centre saturation area is... extended to include applications for late night refreshment.

4.7.5 The policy will apply to applications including... the provision of late night refreshment for... variations to existing licences (where the modifications are directly

relevant to the issue of cumulative impact, for example, extension of trading hours or capacity.)

4.7.6 ...To rebut this presumption [of refusal], 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 licensing authority expects that applications covered by this policy will be discussed with the responsible authorities in advance of submission.

With regards to proposed hours, the following sections of the policy are relevant:

4.4.2 The Authority proposes to introduce a framework of core hours for licensable activities at takeaway premises of 02.00 hours.

4.4.3 This framework will apply to applications for new premises licences and to applications for variations to extend the hours for licensable activities... applicants are advised not to exceed these core hours when submitting a licence application in order to avoid representations.

4.4.7 Applicants should note that there is no guarantee that an application will be granted if the hours of trading fall within this framework. In similar terms an application will not automatically be rejected because the proposed hours of trading fall outside of the framework. All applications will be considered on their individual merits.

4.6

National policy considerations

9.12 – 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.

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 - A Cumulative Impact Assessment should never be absolute... policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. 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 CIA 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.

4.7

Observations

Emad Abuaassi has held this premises licence since June 2019 when he transferred it into his name, changing the name and style of operation from Nunzios Italian Restaurant to Sugar and Spice takeaway.

Since becoming the Premises Licence holder Mr Abuaassi has submitted Temporary Event Notices to authorise the provision of late night refreshment on the following dates:

27 December 2019 – 2 January 2020 (to 05.00 each day)

07 – 11 February 2020 (to 04.00 each day)

14 – 18 February 2020 (to 04.00 each day)

Mr Abuaassi has previously held a premises licence for Eatabout takeaway, 25 Queen Street, from June 2009 to August 2018.

The conditions currently attached to the licence for Sugar and Spice are:

Annex 1 - Mandatory conditions

1 Alcohol shall not be sold or supplied except during permitted hours as stated.

On New Year's Eve permitted hours may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on 31 December).

The restrictions on permitted hours do not prohibit:

- a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- b) 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;
- c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- f) The sale of alcohol to a trader or club for the purposes of the trade or club;

- g) 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 forces;
- h) The taking of alcohol from the premises by a person residing there; or
- i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) The supply of alcohol for consumption on the premises to person employed there for the purposes of business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

2 There will be substantial refreshment available at all times the premises are open for trade.

3 There will be drinks other than intoxicating liquor (including drinking water) available at all times the premises are open for trade.

4 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises that is not a bar and to or from some part of the premises where there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. However, an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

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

6 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.

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

8 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

- 9 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 10 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years 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 either a holographic mark, or an ultraviolet feature.
- 11 The responsible person must ensure that -
- (a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 12 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) In this condition:-
- a. “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where-
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the

- alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- b. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - c. “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - d. “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e. “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

- 1 Any regulated entertainment shall only take place within the licensed area of the basement.
- 2 The premises are to be operated in accordance with the principles outlined by the 'Nightsafe' Scheme, as are relevant to those premises, and indicated in the associated leaflet.
- 3 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.
- 4 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.

- 5 Only toughened glass vessels are used to dispense beer to customers.
- 6 At least one personal licence holder will be available while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.
- 7 Another member of staff shall be nominated to act for the DPS in their absence, whose identity is known by all other staff when such absence occurs.
- 8 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.
- 9 The premises shall maintain a drinks pricing policy which complies with any local authority resolution made in accordance with approval from the Licensees Forum or any successor liaison body recognised by the Licensing Authority.
- 10 The volume of amplified sound used in connection with entertainment shall at all times be under the control of the licensee or management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.
- 11 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 12 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 13 The maximum capacity of the first floor bar and balcony shall be 70 people.
- 14 The balcony will be closed at 01.00 hours.
- 15 No person under the age of 14 will be allowed on the balcony unless accompanied by an adult. Signs to this effect will be posted prominently at the entrance to the balcony.
- 16 No entertainment of an adult nature will take place on the premises.
- 17 The first floor bar shall contain sufficient furniture and seating in order that it does not become a high volume, vertical drinking establishment as defined at paragraph 10.41 of the Statutory Guidance.

- 18 The first floor bar area shall have seating for 40 people when alcohol is being supplied.
- 19 Food will be available at all times when alcohol is supplied on the premises.
- 20 The primary purpose of the premises will be that of a restaurant / bistro / cafe serving food, with additional use for pre-arranged events, functions and other entertainment. The sale of alcohol will be ancillary to these uses.
- 21 The provision of food, including full meals and snacks will form a substantial element of the operation of the premises with sufficient furniture and seating provided and set out in such a way that it does not become a high volume, vertical drinking establishment.
- 22 Table seating shall be provided for a minimum of 70% of the maximum capacity on each floor of the premises, save for pre-arranged private functions.
- 23 No customers shall be admitted to the premises after 00:30 on Friday and Saturday night and 00:00 Sunday - Thursday. For the avoidance of doubt, this condition shall not apply to those customers who were on the premises prior to the stated times, and who exited the premises for the purpose of smoking.
- 24 The premises licence holder will risk assess the requirement for door supervisors at the premises and shall employ door supervisors in such numbers and at such times as is deemed necessary by the risk assessment. The requirement to provide door supervisors as determined by risk assessment will equally apply in respect of private functions and ticketed events where admission is only permitted by ticket purchase in advance.
- 25 Persons under the age of 18 shall only be admitted onto the premises in the company of an adult. Except for pre-arranged private functions and ticketed events, children under 16 shall vacate the premises by 21:00 unless partaking in a meal or family function.
- 26 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. The system should display the correct date and time and record footage that is retained for a minimum of 21 days. A person who is conversant with the operation of the system should be on the premises at all times it is open to the public and be able to show CCTV footage to Police or responsible authorities immediately.

4.8 Does the information submitted include any exempt information? No

4.9 **List of Appendices:**

Appendix 4(a) Application

Appendix 4(b) Representation from Lancashire Constabulary

Appendix 4(c) Representation from Licensing Authority

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

This page is intentionally left blank

08 JAN 2015

APPLICATION TO VARY A PREMISES LICENCE

Applicant Name(s):

EMAD ABUAASSI



Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

T: (01253) 47 8572
F: (01253) 47 8372

www.blackpool.gov.uk/licensing

Application to vary a Premises Licence under the Licensing Act 2003

Please read the following instructions first:

Before completing this form please read the guidance notes at the end of this form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Full name/s of the premises licence holder/s:
Emad ABUASSI Emad ABuaassi

I/We the premises licence holder/s named above, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1

Premises Licence number:	PL0736
---------------------------------	--------

Part 1 – Premises Details

Premises Address	2-4 Queen Street (suger & spice)						
	Blackpool						
	Post Code	F	Y	I	I	P	D
Telephone Number of premises (if any)	01253 627 777						
Non-domestic rateable value of premises							

Part 2 – Applicant details

Title:	<input checked="" type="radio"/> Mr	<input type="radio"/> Mrs	<input type="radio"/> Miss	<input type="radio"/> Ms	<input type="radio"/> Other	Forename(s)	Emad			
Surname	ABuaassi				Date of Birth	Day	Month	Year		
Home address	[REDACTED]				Post Code	[REDACTED]				
Telephone Number					01253 627 777				Mobile Number	[REDACTED]
E-Mail address	[REDACTED]									

SECOND INDIVIDUAL APPLICANT (If Applicable)

Title:	Mr	Mrs	Miss	Ms	Other	Forename(s)												
Surname						Date of Birth	Day	Month	Year									
Home address																		
											Post Code							
Telephone Number						Mobile Number												
E-Mail address																		

A. OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name																			
Address																			
											Post Code								
Registered number																			
Description of applicant (for example partnership, company, unincorporated association)																			
Telephone number																			
E-Mail address (optional)																			

Part 3 – Variation

If yes please tick

Do you want the proposed variation to have effect as soon as possible?

If not, when do you want the variation to take effect from?

Day		Month		Year			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

If your proposed variation would mean that 5,000 or more people could be expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

*

my proposed variation is To serve Fresh food To people as pizza; cababs, salade and hot food and milk shake at The moment my Take away open Till 1am That's my license. but really I'm struggling I'am not making Any Think at all To manage with bills or supplier or rent.

Change of nature of premises from restaurant to takeaway -

- Reducing size of premises
- remove alcohol and entertainment from licence
- remove lavender conditions
- extend hours for late night refreshment

Part 4 – Operating Schedule

Please complete those parts of the Operating Schedule below that would be subject to change if this application to vary is successful.

Provision of regulated entertainment (please see guidance note 3):

If yes please tick

- a) A performance of a play (if ticking yes, fill in box A)
- b) An exhibition of a film (if ticking yes, fill in box B)
- c) An indoor sporting event (if ticking yes, fill in box C)
- d) Boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) A performance of live music (if ticking yes, fill in box E)
- f) Any playing of recorded music (if ticking yes, fill in box F)
- g) A performance of dance (if ticking yes, fill in box G)
- h) Entertainment of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L, and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors, outdoors or both – please tick accordingly (Please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed			State any seasonal variation for performing plays (please read guidance note 6)		
Thu					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please see guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors, outdoors or both – please tick accordingly (Please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variation for the exhibition of films (please read guidance note 6)		
Thu					
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please see guidance note 7)		
Sat					
Sun					


C

Indoor sporting event Standard days and timings (please read guidance note 8)			Please give further details (Please see guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			State any seasonal variations for indoor sporting events (please read guidance note 6)
Thu			
Fri			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (Please see guidance note 7)
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors, outdoors or both – please tick accordingly (Please read guidance note 4)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 5)	Both	
Tue						
Wed			State any seasonal variation for boxing or wrestling entertainment (please read guidance note 6)			
Thu						
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please see guidance note 7)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors, outdoors or both – please tick accordingly (Please read guidance note 4)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 5) <i>Remove live music from licence</i> 	Both	
Tue						
Wed			State any seasonal variation for performance of live music (please read guidance note 6)			
Thu						
Fri			Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please see guidance note 7)			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 8)			Will the performance of recorded music take place indoors, outdoors or both – please tick accordingly (Please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed					
Thu			State any seasonal variation for playing recorded music (please read guidance note 6)		
Fri					
Sat			Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please see guidance note 7)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors, outdoors or both – please tick accordingly (Please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed					
Thu			State any seasonal variation for the performance of dance (please read guidance note 6)		
Fri					
Sat			Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please see guidance note 7)		
Sun					

H

Anything of a similar description to that falling within (E), (F) or (G) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
			Will this entertainment take place indoors, outdoors or both – please tick accordingly (Please read guidance note 4)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon			Remove entertainment from licence		
Tue					
Wed			State any seasonal variation for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Thu					
Fri			Non-standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please see guidance note 7)		
Sat					
Sun					


I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors, outdoors or both – please tick accordingly (Please read guidance note 4)		Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	just Tables and leather chairs (sofa). Please give further details here (please read guidance note 5)		
Mon	11 p.m	5 a.m	NOT loud music. NOT amplified.		
Tue	11 p.m	3 a.m			
Wed	11 p.m	3.30 a.m	State any seasonal variation for the provision of late night refreshment (please read guidance note 6)		
Thu	11 p.m	4 a.m	in side The The premises.		
Fri	11 p.m	5 a.m	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please see guidance note 7)		
Sat	11 p.m	5 a.m	All occasion and all year.		
Sun	11 p.m	3 a.m			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the sale of alcohol for consumption be on the premises, off the premises or both (Please read guidance note 9)	On the Premises	
Day	Start	Finish		Off the premises	
Mon			State any seasonal variation for the supply of alcohol (please read guidance note 6)	Both	
Tue					
Wed					
Thu					
Fri					
Sat			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please see guidance note 7)		
Sun					

Remove alcohol from licence




K

Please highlight any adult entertainment or services, activities, other entertainment or matter ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)

Hours premises are open to the public			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	5 PM	5 am	<p>We are open all years</p> <p>Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please see guidance note 7)</p> <p>N.A</p>
Tue	5 PM	3 am	
Wed	5-PM	3:30 am	
Thu	5 pm	4 am	
Fri	5 PM	5 am	
Sat	5 pm	5 am	
Sun	5 PM	3 am	

Please identify those conditions currently imposed on the licence that you believe could be removed as a consequence of the proposed variation you are seeking

Remove:
 Condition 4 from annex 1
 Conditions from annex 2: 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, ~~23~~ 23 and 25



I have enclosed the existing premises licence and summary If yes please tick

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes you are required to give your reasons for not including the licence, or any part of it below.


Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (See guidance note 11)

b) The prevention of crime and disorder

We will be employing door security staff on Friday and Saturday nights from 3am to 5am
→ Amend condition 24 to remove second sentence and add the above 

c) Public Safety

We CCTV operating, 24 hours.

d) The prevention of public nuisance

We have signs posted up inside the premises asking customer to leave quietly to prevent noise

e) The protection of children from harm

We do not allow children into the premises alone after 7pm.
We only serve them if they are accompanied by an adult.

If yes please tick

- I have made or enclosed payment of the fee, or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application, a copy of the plan and a photocopy of the existing premises licence to responsible authorities and others where applicable
- I understand that I must advertise my application
- I have enclosed the premises licence or relevant part of it or an explanation why not
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on the behalf of the applicant please state in what capacity.

Signed	[Redacted]
Print Name	EMAD ABU AASSI
Capacity	Lease holder (Business owner)
Date	08-01-2020

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant please state in what capacity.

Signed	
Print Name	
Capacity	
Date	

Contact name (where not previously given) and address for correspondence associated with this application. (Please read guidance note 15)

Title:	Mr	Mrs	Miss	Ms	Other							
Forenames					Surname							
Address for Correspondence associated with this application						Post Code						
						Post Code						
Telephone Number					Mobile Number							
E-Mail Address												

Notes for Guidance











This application cannot be used to vary the licence so as to extend the period that the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

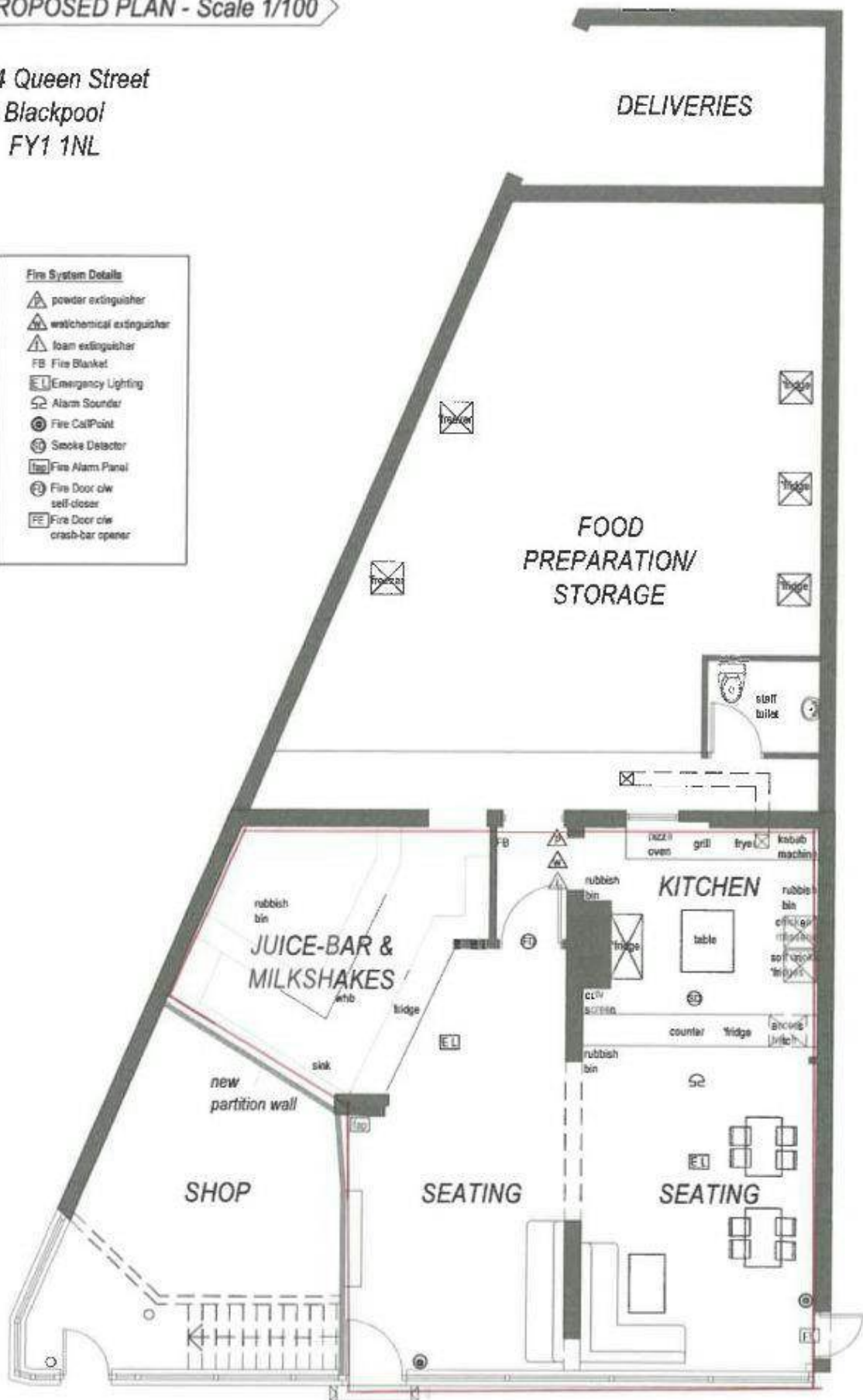
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information that could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - o Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - o Films: no licence is required for "not-for-profit" film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises and (b) ensures that each such screening abides by age classification ratings.
 - o Indoor Sporting Events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - o Boxing or Wrestling: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - o Live music: no licence permission is required for:
 - A performance of unamplified live music between 08.00 and 23.00 on any day, on any premises;
 - A performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500;
 - A performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500;
 - A performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - A performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned or (ii) the school or (iii) the health care provider for the hospital.
 - o Recorded music: no licence permission is required for:
 - Any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - Any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- Any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - Any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - Any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the healthcare provider;
 - Any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor, and
 - Any entertainment (excluding films and boxing or wrestling taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in the building or other structure please tick as appropriate. Indoors may include a tent.
 5. For example state the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
 8. Please give timings in 24-hour clock format (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises please tick on. If you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish for people to be able to do both please tick both.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises that may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi nudity, films of restricted age groups, the presence of gaming machines.
 11. Please list here the steps you will take to promote all four licensing objectives together.
 12. The application must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, the applicants or their respective agents must sign the application form.
 15. This is the address that we shall use to correspond with you about this application.

PROPOSED PLAN - Scale 1/100

2 - 4 Queen Street
 Blackpool
 FY1 1NL

- Fire System Details**
-  powder extinguisher
 -  wallchemical extinguisher
 -  foam extinguisher
 - FB Fire Blanket
 -  Emergency Lighting
 -  Alarm Sounder
 -  Fire CallPoint
 -  Smoke Detector
 -  Fire Alarm Panel
 -  Fire Door c/w self-closer
 -  Fire Door c/w crash-bar opener



- Licensed area

Licensing Act 2003 Premises Licence

PL0736

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Sugar & Spice

2 - 4 Queen Street, Blackpool, Lancashire, FY1 1PD.

Telephone 01253 628926

WHERE THE LICENCE IS TIME LIMITED THE DATES

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors) Licensed Area	Monday - Sunday	11:00	01:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors) Licensed Area	Monday - Sunday	11:00	01:00
I. Late night refreshment (Indoors) Licensed Area	Monday - Sunday	23:00	01:00
J. Supply of alcohol for consumption ON and OFF the premises Licensed Area	Monday - Sunday	11:00	01:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Licensed Area	10:00	02:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Emad Abuaassi

Telephone 01253 627777

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



Licensing Act 2003

Premises Licence

PL0736

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

NO DPS

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No.

Issued by

ANNEXES

Annex 1 - Mandatory conditions

- 1 Alcohol shall not be sold or supplied except during permitted hours as stated.

On New Year's Eve permitted hours may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on 31st December).

The restrictions on permitted hours do not prohibit:

- a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
 - b) 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;
 - c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - e) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
 - f) The sale of alcohol to a trader or club for the purposes of the trade or club;
 - g) 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 forces;
 - h) The taking of alcohol from the premises by a person residing there; or
 - i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - j) The supply of alcohol for consumption on the premises to person employed there for the purposes of business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
- 2 There will be substantial refreshment available at all times the premises are open for trade.
- 3 There will be drinks other than intoxicating liquor (including drinking water) available at all times the premises are open for trade.



ANNEXES continued ...

~~4~~

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises that is not a bar and to or from some part of the premises where there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. However, an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- 5 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.
- 6 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.
- 7 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 8 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries



ANNEXES continued ...

a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

9 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

10 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years 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 either a holographic mark, or an ultraviolet feature.

11 The responsible person must ensure that -

(a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

12 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:-

- a. "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where:
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- b. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- c. "relevant person" means, in relation to premises in respect of which there is in force a



ANNEXES continued...

- premises licence-
- i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

- Any regulated entertainment shall only take place within the licensed area of the basement.
- The premises are to be operated in accordance with the principles outlined by the 'Nightsafe' Scheme, as are relevant to those premises, and indicated in the associated leaflet.
- 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.
- Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.
- Only toughened glass vessels are used to dispense beer to customers.
- At least one personal licence holder will be available while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.
- Another member of staff shall be nominated to act for the DPS in their absence, whose identity is known by all other staff when such absence occurs.
- 8 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.
- The premises shall maintain a drinks pricing policy which complies with any local authority resolution made in accordance with approval from the Licensees Forum or any successor liaison body recognised by the Licensing Authority.



ANNEXES continued ...

- ~~10~~ The volume of amplified sound used in connection with entertainment shall at all times be under the control of the licensee or management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.
- ~~11~~ Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 12 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- ~~13~~ The maximum capacity of the first floor bar and balcony shall be 70 people.
- ~~14~~ The balcony will be closed at 01.00 hours.
- ~~15~~ No person under the age of 14 will be allowed on the balcony unless accompanied by an adult. Signs to this effect will be posted prominently at the entrance to the balcony.
- ~~16~~ No entertainment of an adult nature will take place on the premises.
- ~~17~~ The first floor bar shall contain sufficient furniture and seating in order that it does not become a high volume, vertical drinking establishment as defined at paragraph 10.41 of the Statutory Guidance.
- ~~18~~ The first floor bar area shall have seating for 40 people when alcohol is being supplied.
- ~~19~~ Food will be available at all times when alcohol is supplied on the premises.
- ~~20~~ The primary purpose of the premises will be that of a restaurant / bistro / cafe serving food, with additional use for pre-arranged events, functions and other entertainment. The sale of alcohol will be ancillary to these uses.
- ~~21~~ The provision of food, including full meals and snacks will form a substantial element of the operation of the premises with sufficient furniture and seating provided and set out in such a way that it does not become a high volume, vertical drinking establishment.
- ~~22~~ Table seating shall be provided for a minimum of 70% of the maximum capacity on each floor of the premises, save for pre-arranged private functions.
- ~~23~~ No customers shall be admitted to the premises after 00:30 on Friday and Saturday night and 00:00 Sunday - Thursday. For the avoidance of doubt, this condition shall not apply to those customers who were on the premises prior to the stated times, and who exited the premises for the purpose of smoking.
- 24 The premises licence holder will risk assess the requirement for door supervisors at the premises and shall employ door supervisors in such numbers and at such times as is deemed necessary by the risk assessment. ~~The requirement to provide door supervisors as determined by risk assessment will equally apply in respect of private functions and ticketed events where admission is only permitted by ticket purchase in advance.~~



ANNEXES continued ...

- ~~25~~ Persons under the age of 18 shall only be admitted onto the premises in the company of an adult. Except for pre-arranged private functions and ticketed events, children under 16 shall vacate the premises by 21:00 unless partaking in a meal or family function.
- 26 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. The system should display the correct date and time and record footage that is retained for a minimum of 21 days. A person who is conversant with the operation of the system should be on the premises at all times it is open to the public and be able to show CCTV footage to Police or responsible authorities immediately.

Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

See attached reference PL0736 / 1 / 2



Emad Abuaassi



24 JAN 2020

F.A.O Licensing Authority
Blackpool Council
Municipal Buildings
Corporation Street
Blackpool

24th January 2020

Amendment to Variation Application- Sugar and Spice, 2- 4 Queen Street, Blackpool. PL0736

Dear Sir/ Madam

I write further to my current application to vary the premises licence, having sought further advice I would like to amend the timings and propose additional measures to safe guard the licensing objectives.

Trimming;

LNR -Sunday- Thursday: 23.00-03.00

Closing Time-Sun-Thurs:03.20

LNR-Friday & Saturday: 23.00-04.00

Closing Time-Fri&Sat: 04.20

Rationale

The revised timings are simplified for staff and management to clearly understand the commercial trading boundaries and more importantly to reduce any likely impact on the Licensing Objectives.

Additional Measures;

The Premises Licence Holder will ensure that at least 1 SIA door supervisor is on duty at the premises on Friday and Saturday nights and Sundays during a Bank Holiday from 02.00hrs until the Premises close.

CCTV to be installed at the premises which has adequate coverage to the satisfaction of Lancashire Constabulary over the trading area and external parts of the premises.

At least 2 cameras will be installed to the front elevation (Queen Street) to provide coverage of the pavement area directly in front of the premises .

The system will be capable of storing images for 28 days, the storage device will always be located securely in the premises with a staff member or member of management having access to the system whenever Licensable activity is taking place.

The Premises Licence holder will ensure that a staff member or member of management will have the capability to provide images in a readable format to a Police Officer or Authorised Officer on request.

The system will be checked, maintained and serviced at least once a year, records to evidence the servicing will be retained on the premises and produced on request to a police constable or authorised officer.

The trading area of the premises will be reduced from 01.00hrs till the terminal hour by the installation of a temporary barrier preventing customers from using the table, chairs and bench seating in this area (marked in amber hatching on the plan attached to this application)

Clear notices to customers will be posted at the entrance to this part of the premises advising them that the area can only be used until 01.00hrs.

Staff members and Security will monitor this area to ensure compliance with the restrictions offered.


As the proposed activity timings are less than those currently advertised on the newspaper advert I was hoping that you wouldn't insist on a new advert on the basis that there would be no detriment to any interested party considering an objection, however I await your confirmation on this matter .

Yours faithfully

A solid black rectangular box used to redact the signature of the sender.

Emad Abuaassi

This page is intentionally left blank

Blackpool Council Licensing Service				
Representation made by a Responsible Authority to an application for the grant / variation of a Premises Licence / Club Premises Certificate				
Responsible Authority				
Name of Responsible Authority	LANCASHIRE CONSTABULARY			
Name of Officer <i>(please print)</i>	PC 4107 Emma Pritchard			
Signature of Officer				
Contact telephone number	01253 604073			
Date representation made	05	02	20	
Do you consider mediation to be appropriate				NO
Premises Details				
Premises Name	Sugar and Spice			
Address	2-4 Queen Street			
	Blackpool			
	Lancashire			
Post Code	FY1 1PD			
Reasons for making representations				
<p>I am in receipt of an application for a Major Variation to the Premises Licence for the above address.</p> <p>The variation includes increasing the hours for Late Night Refreshments until 04:00hrs on Friday and Saturdays and 03:00hrs Sunday – Thursday.</p> <p>On behalf of the Chief Officer of Police, having reviewed the application the Police make formal objections on the following grounds:</p> <p>The police base this objection on the following points:</p> <ol style="list-style-type: none"> 1) The premises falls within the current Town Centre Saturation area as part of the Council's Cumulative Impact Policy. 2) Issues of crime and disorder in the immediate vicinity of the premises. <p>When the current Saturation area was reviewed in 2013 a large part was removed leaving only those areas which currently require significant resourcing from police and other responsible authorities and the area where Sugar and Spice is located remains within this area. The issues in this area of the Town Centre are mainly caused due to the behaviour of customers of all the premises together and not just one individual venue due to the high concentration of late night licences already in operation; both</p>				

on-licences and take-aways. The Cumulative Impact Policy applies to applications to vary existing licences, as well as new licences, where modifications are directly relevant to this issue. Police believe that in this case, an extension to current trading hours will have a detrimental impact.

It is not only the number of on-licences that impact on the amount of crime and disorder and Public nuisance that is received but also the number of take-aways with late night licences in a vicinity. Take-aways increase the number of people that gather in the area into the early hours, once they have left the drinking establishments. It provides a haven for people to congregate once outside these venues where they are no longer supervised as closely and disorder then occurs.

This has recently been recognised by Blackpool Council in their current statement of Licensing policy (2015-2019). Point 4.7.3 states:

Due to concerns about crime & disorder and anti-social behaviour arising from the number of takeaways in the area, the town centre saturation area is to be extended to include applications for late night refreshment.

The area in the immediate vicinity of this premises is arguably the most problematic hot spot area for crime and disorder in relation to the night time economy. During the course of the evening revellers congregate in numbers around this junction; of note it is the area where the Police carrier tends to park and also where the street angels/ St John's ambulance take up static positions as they identify this area as being at the most risk of suffering alcohol related violence, harm and nuisance.

Between 31st January 2019 and 31st January 2020 Police have received 1,172 calls in relation to Queen Street alone, of which 188 of these were assaults, 68 were public order incidents, 25 criminal damages, 6 robberies, 101 calls relating to nuisance, 55 concerns for safety and 25 in relation to collapsed, injured or ill persons (vast majority of which are heavily intoxicated individuals). In addition to this there were also 52 incidents reported to the Police as occurring on The Strand.

Examples of incidents that occurred on Queen Street in January alone are as follows:

LC-20200126-0341 03:41hrs Flames
Female intoxicated has called police whilst inside Flames stating her friend has been assaulted by an unknown male whilst inside and has then been arguing with the staff about the CCTV and has been told only Police can view it. Victim states she was punched in the chest causing a red mark then male left, however she doesn't want to take this any further.

LC-20200126-0838 02:00-03:00hrs 25/01/2020 Alley between Nunzios and Flames
According to female victim a girl has punched her then 4 other girls have joined in, causing a swollen nose, cuts and bruising to her back.

LC-20200124-0139 03:57hrs 24/01/2020 Outside Walkabout
Member of the public reporting a 54-year-old male has been attacked; punched in the head then kicked to the head whilst on the floor. Whilst waiting ambulance crew have stated lots of intoxicated people have been getting involved and also a female has slipped whilst having a wee in the back alleyway.

LC-20200123-1503 23:08hrs 23/01/2020 Outside Eatabout, Queen Street
Male reporting he has just been attacked by his girlfriend so he has hit her back and she now has a bust nose.

LC-20200118-0207 03:27hrs 18/01/2020 Outside Walkabout
One male arrested after he punched a male knocking him unconscious right in front of a Police Officer. Victim did not wish to provide a statement.

LC-20200114-0149 04:21hrs 14/01/2020 Queen Street
Massive fight – 12 people picking up traffic cones near to the junction with Dickson Road, female

screaming as she has been hit on the head. Upon Police arrival the group were walking down Queen Street towards Walkabout. A female victim was on the floor outside the library and was unconscious having been punched. There was also a male with lip. No one made a formal complaint so crime report submitted with no further action.

LC-20200112-0196 03:05hrs 12/01/2020

Outside Bar 19


30 year old male assaulted, has a head injury that was bleeding heavily so went to hospital. It transpires offender was walking past after victim was ejected from Bar 19 and has punched him in an unprovoked attack which has caused him to fall to the floor and hit his head.

Lancashire Constabulary has significant concerns that crime and disorder will increase if this premises licence variation is accepted. The area already suffers as a result of the amount of licences in operation; many drunken revellers remain in the area whilst getting food and this can and does lead to disagreements which result in violence or disorder. This variation will add to the cumulative impact already being experienced within the Town Centre Saturation Area and would lead to further crime, disorder and individual harm and contribute to the stress and further burden on the emergency services.

It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.

N/A

This page is intentionally left blank

Blackpool Council Licensing Service				
Representation made by a Responsible Authority				
Responsible Authority				
Name of Responsible Authority	Licensing Authority			
Name of Officer <i>(please print)</i>	Lee Petrak			
Signature of Officer				
Contact telephone number	01253-477861			
Date representation made	13	01	2020	
Do you consider mediation to be appropriate				NO
Premises Details				
Premises Name	Sugar & Spice			
Address	2-4 Queen Street			
	Blackpool			
Post Code	FY1 1PD			
Details of your representation (Please refer and attach any supporting documentation)				
<p>I am in receipt of an application to vary an existing Premises Licence (No. PL0736) submitted to this authority by Emad Abuaassi on 08 January 2020. Although the application is not easy to follow, I note that the key points are as follows:</p> <ul style="list-style-type: none"> • Premises will operate as a takeaway as opposed to historically operating as a restaurant • Licensed area to be reduced in size • Remove sale/supply of alcohol from licence • Remove/amend existing conditions • Extension of hours for late night refreshments <p>Critically the application requests extension of the terminal hour for late refreshments to anywhere between 3am and 5am depending upon the day of the week. Currently the licence permits late night refreshments to 1am, so the proposed extension to the terminal hour is substantial.</p> <p>The location of this premises is situated in the heart of Queen Street, which places it in close proximity of a large number of licensed premises. This area is included in the Council's Town Centre Saturation zone detailed in the Council's current statement of Licensing Policy at paragraphs 4.7.1 – 4.7.9 and Appendix B.</p>				

The effect of the Saturation policy is to create a rebuttable presumption that applications of this type 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 in this area.

It is my view that this application in its current form does not rebut this presumption. In addition it is noteworthy to mention that Sgt Parkinson of the Police Licensing Team (West Division), Mr Abuaassi and myself met at 2-4 Queen Street on 3rd July 2019. He requested the meeting to discuss his plans for the premises having signed a lease with the owner. At this meeting Mr Abuaassi was informed that the existence of the saturation policy makes it difficult for him to significantly extend his terminal hour. I have had no further conversations with Mr Abuaassi on this subject.

In my view, should the licence be varied as proposed and the terminal hour be significantly extended, it is inevitable that this will contribute to the cumulative impact currently being experienced in the town centre saturation zone. For this reason I must object to the proposed variation on policy grounds.

For New / Variation Applications only.

It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.