

## MINUTES OF LICENSING PANEL MEETING - THURSDAY, 2 JULY 2015

### **Present:**

Councillors

Hutton

Maycock

Mitchell

### **In Attendance:**

Lennox Beattie, Executive and Regulatory Support Manager

Sharon Davies, Head of Licensing Service

### **1 APPOINTMENT OF CHAIRMAN**

#### **Resolved:**

That Councillor Hutton be appointed Chairman for the meeting.

### **2 DECLARATIONS OF INTEREST**

Councillor Hutton declared that he was a member of the Planning Committee but had not considered a planning application in respect of these premises.

### **3 PROCEDURE FOR THE MEETING**

The Chairman explained the procedure of the meeting including that a guideline time limit of thirty minutes had been allocated for all parties.

### **4 APPLICATION FOR THE VARIATION OF A PREMISES LICENCE- FAMILY SHOPPER**

The Licensing Panel considered an application for the variation of a Premises Licence in respect of Family Shopper, 44 St Annes Road, to remove a number of conditions to allow the operation of the premises as a convenience store with the sale of alcohol for consumption off the premises instead of as a private club.

As a preliminary matter, the Panel considered an issue raised by Lancashire Constabulary that the application was invalid.

Mr Richard Williams on behalf of Lancashire Constabulary outlined the view of that body that the application could not be treated as a variation as it so fundamentally altered the nature of the premises.

Miss Sarah Clover on behalf of the applicant contested that the applicant had been advised by the Licensing Service that a variation was possible and her view that the hearing should continue.

The Panel agreed that in view of the advice offered by the Licensing Service and to avoid disadvantaging the applicant the application be considered at this hearing as a variation to the existing Premises Licence.

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The Panel therefore continued with the hearing.

Miss Clover outlined the application on behalf of the applicant, Mr Steven Birk. She highlighted the high quality of the application including the significant investment that Mr Birk had already made in the premises. The level of experience that Mr Birk would bring to the operation of the premises and the high quality of training and supervision that would be offered to staff working in the premises.

Mr Williams outlined the concerns of Lancashire Constabulary regarding the application and argued that the variation of the application would lead to greater impact on crime and disorder. PC Lisa Evans, Licensing division and PC Gareth Evans, Community Beat Manager for Victoria ward, also highlighted issues currently being experienced in terms of crime and disorder. Mr Williams further highlighted that the application was within the Off Licence Saturation Policy zone and reminded members of the Licensing Panel that this created a rebuttable presumption against the granting of further licences.

Mr Mark Marshall, Licensing Enforcement and Health and Safety Manager, spoke on behalf of the Licensing Authority and Public Health. He highlighted both those responsible authorities had concerns regarding crime and disorder in the area.

The Panel considered all the evidence submitted by all parties and concluded that in this case the variation application would significantly impact on the crime and disorder already being experienced in the area and that the application did not satisfy the rebuttable presumption against the granting of further licences.

### **Resolved:**

That the application for a variation to the Premises Licence in respect of Family Shopper, 44 St Annes Road be refused.

### **Chairman**

(The meeting ended 8.55 pm)

Any queries regarding these minutes, please contact:  
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