

# Blackpool Council

29 May 2018

To: Members of the Licensing Panel

The above members are requested to attend the:

## **LICENSING PANEL**

Tuesday, 5 June 2018 at 5.00 pm  
in Committee Room A, 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 FOR A TEMPORARY EVENT NOTICE- PIZZA LUIGI** (Pages 1 - 12)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR A TEMPORARY EVENT NOTICE- Pizza Luigi
- c. ANNOUNCEMENT OF THE DECISION FOR A TEMPORARY EVENT NOTICE- Pizza Luigi

**Venue information:**

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

**Other information:**

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail [lennox.beattie@blackpool.gov.uk](mailto:lennox.beattie@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](http://www.blackpool.gov.uk).

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Date of Meeting :</b>	5 June 2018

## TEMPORARY EVENT NOTICE – PIZZA LUIGI

### 1.0 Purpose of the report:

- 1.1 To consider a Temporary Event Notice submitted by Ibrahim Samy Aboelmaged in respect of an event taking place 10-12 June 2018.

### 2.0 Recommendation(s):

- 2.1 The panel is requested to consider the objection and determine whether to allow the event to go ahead, add conditions to the Temporary Event Notice or issue a counter notice.

### 3.0 Reasons for recommendation(s):

- 3.1 An objection has been received therefore there must be a hearing to consider whether to issue a counter notice.

- 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.

### 4.0 Background Information

- 4.1 On 18 May 2018 the Licensing Service was served with a temporary event notice on behalf of Pizza Luigi, 3A Dickson Road, Blackpool. This notice relates to the provision of late night refreshment to 05.00 in the early hours of Sunday 10 June and Tuesday 12 June 2018.

The Police have objected to the event taking place on the grounds of preventing crime and disorder. A hearing is therefore required to determine whether a counter notice should be issued to prevent the event from taking place. A copy of the objection is attached.

**4.2 Local policy considerations**

None.

**4.3 National policy considerations**

Section 7 – Temporary Event Notices is relevant

The system of permitted temporary activities is intended to be a light touch process where notice is given by the premises user that they intend to carry out specified activities. The police and environmental health team have three working days to object to the notice on the basis of any of the four licensing objectives.

**Observations**

The premises in question already has the benefit of a Premises Licence (WA0166) which permits the provision of late night refreshment to 03.00 in the early hours of Sunday and Tuesday mornings (continuing on from Saturday and Monday evenings). On the other days of the week late night refreshment is permitted to 05.00.

The licence for this premises was subject to a review last year on grounds of crime and disorder and public nuisance. As a consequence of the review the permitted hours for late night refreshment were restricted to 03.00 on Sunday and Tuesday mornings by way of consent order after appeal in March 2018. Mr Aboelmaged was not the licence holder at the time of the review, however he has recently applied to transfer the Premises Licence into his name on 11 May 2018.

At the hearing the panel can either let the event go ahead, serve a counter notice to prevent the event going ahead or after considering the representations, the panel may decide that it is appropriate for the promotion of the licensing objectives to impose one or more conditions onto the Temporary Event Notice. The panel can only add existing conditions from the Premises Licence.

The licence has the following conditions:

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

1 The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities. CCTV recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the enforcement

authorities.

2 At any time the premises are open to the public after 03.00, the premises licence holder shall employ one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary. On Saturday night / Sunday morning there will be two door staff on duty from 04.00 onwards.

3 Any individual employed on the premises to carry out a security activity must be licensed by the SIA.

4 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.

5 Frequent collection of all litter dropped within the vicinity of the licensed premises to be collected and removed at the licence holder's expense at a frequency of not less than 60 minute intervals during opening hours. This includes washing away to the gutter any spilled food. Litter shall include any used cigarette material that has been discarded by staff and customers.

6 The premises licence holder shall provide suitable containers for the storage of waste (to include waste oil), which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. These containers shall be emptied on a regular basis by a Licensed Waste Carrier and Waste Transfer Notes shall be provided to any authorised officer of Blackpool Council as and when required.

7 The licensee shall ensure that staff arriving before 09.00 or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.

8 Noise from any mechanical ventilation or refrigeration plant shall be inaudible within the nearest sensitive properties or, at the discretion of the Local Authority, shall not exceed some other pre-agreed limit, which does not cause unreasonable disturbance to the residents of these properties or their guests.

9 The volume of any recorded music shall not be played at a level that predominates over other activities within the premises and in turn, shall not cause a nuisance or disturbance to any property within close proximity.

10 The licence holder shall ensure that adequate ventilation is provided, so as to ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to properties within close proximity.

11 The collection and disposal of bottles and refuse should not take place

externally between the hours of 22.00 - 08.00.

12 Any external light source associated with the premises shall not cause a nuisance or disturbance to any property within close proximity.

4.4 Does the information submitted include any exempt information? No

4.5 **List of Appendices:**

Appendix 4a: Temporary Event Notice

Appendix 4b: Objection from Lancashire Constabulary

6.0 **Legal considerations:**

6.1 Please see local and national policy in the background information.

7.0 **Human Resources considerations:**

7.1 None.

8.0 **Equalities considerations:**

8.1 None.

9.0 **Financial considerations:**

9.1 None.

# Blackpool Council

18 MAY 2018

## APPLICATION FOR A TEMPORARY EVENT NOTICE

**Applicant's Name:**

IBRAHIM SAMY ABOELMAGED

### Contact

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

T: (01253) 47 8572 / 8589  
F: (01253) 47 8372

[www.blackpool.gov.uk/licensing](http://www.blackpool.gov.uk/licensing)



## Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

<b>1. The personal details of premises user (Please read note 1)</b>			
<b>1. Your name</b>			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	IBRAHIM		
Forenames	SAMY ABO ELMAGED		
<b>2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)</b>			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input checked="" type="checkbox"/> Other (please state)		
Surname			
Forenames			
<b>3. Your date of birth</b>		Day 19	Month 05 Year 1992
<b>4. Your place of birth</b>		EGYPT MONOFYA	
<b>5. National Insurance Number</b>		SY22 7629B	
<b>6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)</b>			
<div style="display: flex; justify-content: space-between;"> <span style="font-size: 2em; margin-right: 10px;">X</span> <div> 173 Dickson Road blackpool FY12 6X </div> </div>			
Post town BLACKPOOL		Post code FY12AX	
<b>7. Other contact details</b>			
Telephone numbers Daytime		07447 515193	
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail Address (if available)		HEMASAMY88@GMAIL.COM	
<b>8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)</b>			
3A DICKSON ROAD			
Post town BLACKPOOL		Post code FY12AX	



9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	07447515193
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	HEMA.SAMY88@GMAIL.COM

2. The premises
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)

3A DICKSON ROAD (PIZZA Luigi)  
BLACKPOOL FY12AX

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

* Premises licence number	<del>WA0166</del> WA0166
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

Please describe the nature of the premises below. (Please read note 4)

HOT FOOD PLACE PIZZA Luigi  
we want to continue serving food in add  
to our licensing hours 2 hours more on  
Saturday the 9th and Monday the 11th of June

Please describe the nature of the event below. (Please read note 5)

It's the GAY pride in this time and  
we want to stay open on the 9th  
and the 11th of June late from 3 AM  
to 5 AM

<b>3. The licensable activities</b>		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
EITHER: The sale by retail of alcohol	<input type="checkbox"/>	
OR: The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (please read note 7)	<input type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input checked="" type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities (Please read note 9):		
10 - 12 June 2018 <sup>sc</sup>		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock) (Please read note 10):		
<sup>sc</sup> <del>Saturday</del> the <del>8th</del> June From 3 AM to 5 AM <sup>sc</sup> Sunday the 10 <sup>th</sup> June From 3 AM to 5 AM <del>Monday</del> the 11 <sup>th</sup> June From 3 AM to 5 AM <del>Tuesday</del> the 12 <sup>th</sup> June From 3 AM to 5 AM		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	20 People	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)  we don't serve ALCOHOL	On the premises only	<input type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to, lap dancing and pole dancing). (Please see note 13).

No we only serve Hot Food

<b>4. Personal licence holders (Please read note 14)</b>		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	blackpool Council	
Licence number	WA0166	
Date of issue		
Any further relevant details	I am changing it to my name these days	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 17)	
I shall (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application (£21)	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>



**8. Condition (Please read note 18)**

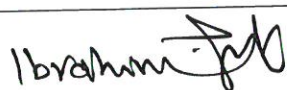
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**9. Declarations (Please read note 19)**

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:


- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.


Signature	
Date	
Name of Person signing	IBRAHIM SAMY ABO ELMAGGD

For completion by the licensing authority

**10. Acknowledgement (Please read note 20)**

I acknowledge receipt of this temporary event notice.

Signature	 On behalf of the licensing authority
Date	21/5/18
Name of Officer signing	S.E. CHADWICK
Official Stamp	<p style="text-align: center;"><b>Licensing Services Blackpool Council Municipal Buildings PO Box 4 Blackpool FY1 1NA</b></p>

<b>Blackpool Council Licensing Service</b> <b>Objection made by Lancashire Constabulary</b> <b>to a Temporary Event Notice</b>				
<b>Responsible Authority</b>		<b>Lancashire Constabulary</b>		
Name of Officer <i>(please print)</i>	PC 4107 Emma Pritchard			
Signature of Officer				
Contact telephone number	<b>01253 604007</b>			
Date representation made	<b>21</b>	<b>05</b>	<b>18</b>	
Do you consider mediation to be appropriate			<input type="checkbox"/>	<input checked="" type="checkbox"/> NO
<b>Premises Details</b>				
Premises Name	<b>Pizza Luigi</b>			
Address	3A Dickson Road			
	Blackpool			
Post Code	FY1 2AX			
<b>Reasons for objecting</b>				
<p>I am in receipt of a Temporary Event Notice at the above premises for the supply of late night refreshment, from 3am to 5am on 10th and 12th June 2018.</p> <p>On 28<sup>th</sup> September 2017 a panel of the licensing committee considered an application by the Licensing Authority to review the premises licence issued in respect of this premises. The Police and Children's Services also gave supporting representations. At this hearing the panel stated it was clear to them that the situation in Dickson Road in the early hours of the morning is not acceptable and decided to reduce the operating hours so that the licensable activity would terminate at 03:00hrs.</p> <p>On behalf of the Police I believe that allowing the premises to be used in accordance with this TEN will undermine the licensing objectives, namely in relation to the prevention of crime and disorder and public safety. Despite this review taking place there is still a high volume of crime and disorder in the area of Dickson Road and Queen Street and it is believed that by allowing additional time for late night refreshment it will exasperate this further.</p> <p>In addition to this Police have concerns in relation to the Licence Holder's ability to uphold the licensing objectives following an incident at approximately 22:05hrs on 17<sup>th</sup> May 2018 whereby two males have been involved in an argument with Ibrahim Aboelmaged and have then thrown two tables over the counter towards him. They have then left the premises and Mr Aboelmaged has carried a table out of the premises onto the road and hit one of these males on the head with the table causing minor cuts to the back of his head. The two males involved were arrested for Affray and Mr Aboelmaged is due to be</p>				

contacted by Police in relation to his behaviour in this incident.

Therefore, due to the increased risk of crime and disorder Lancashire Constabulary wishes to object to the Temporary Event Notice.

**The Police recommend to the Panel that a Counter Notice be served by the Licensing Authority unless the following restrictions or requirements can be imposed by condition.**

N/A