

MINUTES OF LICENSING PANEL MEETING - FRIDAY, 23 JULY 2021

Present:

Councillors

Farrell

Hutton

Sloman

In Attendance:

Sarah Chadwick, Democratic Governance Advisor

Sharon Davies, Senior Licensing Solicitor

1 APPOINTMENT OF CHAIRMAN

The Licensing Panel considered the appointment of a Chairman for the meeting.

Resolved:

That Councillor Hutton be appointed Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

There were no declarations of interest on this occasion.

3 PROCEDURE FOR THE MEETING

The Chairman explained the procedure for the meeting, including the order in which the applicant and representations would be heard and that the decision of the Panel would be communicated the relevant parties within five working days.

4 APPLICATION FOR A NEW PREMISES LICENCE - FOOD PLUS @ POLON, 47-53 ABINGDON STREET, BLACKPOOL, FY1 1DH

The Licensing Panel considered an application from Mr Radoslaw Barwinski for a new Premises Licence to permit off sales of alcohol at Food Plus @ Polon, 47-53 Abingdon Street, Blackpool, FY1 1DH. Representations had been received from the Licensing Authority, Lancashire Constabulary, Public Health and the Child Protection Licensing Officer who was unable to attend the hearing but whose written comments were considered in her absence.

June Clarke of JMC Licensing Consultants presented the case to the Panel on behalf of the applicant. She described the proposed premises as a franchise of a high-end European food store chain which operated almost 200 outlets across the continent and would be similar in style and layout to Aldi and Lidl. The provision of alcohol was deemed to be crucial to the success of the operation and the Panel was assured that all staff would undergo rigorous training and records kept with regards to age restricted products and other compliance training.

Ms Clarke acknowledged that the premises fell within Blackpool Council's Off Licence Cumulative Impact Assessment area and drew the Panel's attention to the significant number of conditions volunteered by the applicant in the operating schedule. Members'

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attentions were drawn to the proposed hours of 8am to 8pm for off sales of alcohol which she indicated were shorter than other similar shops in the area and highlighted that all alcohol would be stored behind the sales counter with no single cans of beer, lager or cider being sold. A minimum £5 spend on non-alcoholic products before alcohol could be purchased was also proposed. She believed the conditions offered and professional nature of the operation demonstrated that any concerns that the granting of the licence would add to cumulative impact had been properly addressed and invited Members to depart from the policy and grant the licence.

Mr Lee Petrak, Trading Standards and Licensing Manager, presented representations on behalf of the Licensing Authority. He reminded the Panel that the proposed premises was situated within Blackpool Council's Cumulative Impact Assessment area which was considered to be already saturated with licensed premises. Mr Petrak acknowledged the detailed nature of the application and the number of conditions volunteered but argued that the application was not exceptional as it was similar in style and operation to a number of other off-licensed premises in the area and therefore recommended that the Panel did not depart from the policy and refuse the application.

Lancashire Constabulary's representations were presented by PC Guy Harrison who expressed his concerns regarding existing issues of alcohol related disorder during the daytime in the vicinity of the proposed premises. He highlighted that the Cumulative Impact Assessment policy was brought in due to current problems with anti-social behaviour and suggested that adhering to the policy by refusing the application would limit any further negative impact on people frequenting the area.

Ms Kerry Burrow presented the objections on behalf of the Director of Public Health and referred the Panel to the evidence provided in the written representation. She explained that the area already experienced significant levels of alcohol related harm to health and asked the panel to consider the potential impact of an additional licensed premises in an already saturated area.

The Panel noted that the proposed premises was located within the Cumulative Impact Assessment area and that Blackpool Council's Licensing Policy stated that applications within that area should be refused except in genuinely exceptional circumstances. Members acknowledged the number of conditions offered by the applicant but did not feel that they sufficiently addressed the Policy to rebut the presumption of refusal in an area already saturated with convenience store type premises which suffered from alcohol related violence and anti-social behaviour. In addition, the Panel felt that insufficient information had been provided about the applicant and his experience in operating a premises licensed for the sale of alcohol. In the absence of such evidence the Panel concluded that they would have issues managing a retail premises within such a challenging environment and therefore potentially contribute to the problems being experienced in the area.

Having considered all the evidence Members concluded that the application did not represent an exceptional case and therefore agreed not to depart from the policy and refused the application.

Resolved: That the application for a new Premises Licence for Food Plus @ Polon, 47-53 Abingdon Street, be refused.

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Chairman

(The meeting ended 11.40 am)

Any queries regarding these minutes, please contact:

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