

Blackpool Council

14 July 2021

To: Councillors Farrell, Hutton and Sloman

The above members are requested to attend the:

LICENSING PANEL

Friday, 23 July 2021 at 10.00 am
Via Zoom meeting

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.

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, and 4(a) 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 NEW PREMISES LICENCE - FOOD PLUS @ POLON, 47-53 ABINGDON STREET, BLACKPOOL, FY1 1DH (Pages 1 - 42)

To consider an application in respect of a new Premises Licence for Food Plus @ Polon, 47-53 Abingdon Street, Blackpool, FY1 1DH.

- A. Application and representations submitted. To consider the attached report.
- B. Determination of the application for a new Premises Licence – Food Plus @ Polon.

The Licensing Panel will indicate how the decision is to be communicated to interested parties.

Other information:

For queries regarding this agenda please contact Sarah Chadwick, Democratic Governance Advisor, Tel: 01253 477153, e-mail sarah.chadwick@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
Relevant Officer:	Judith Brooks-Brennan, Licensing Officer
Date of Meeting:	23 July 2021

APPLICATION FOR A PREMISES LICENCE – Food Plus @ Polon

1.0 Purpose of the report:

- 1.1 To consider an application for a new Premises Licence for Food Plus @ Polon, 47-53 Abingdon Street, Blackpool, FY1 1DH.

2.0 Recommendation(s):

- 2.1 To consider the application and determine whether the granting of this licence 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.

- 3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

- 4.1 None, once an application is submitted and representations received it must be considered by the Licensing Panel.

5.0 Council priority:

- 5.1 The relevant Council priority is
- "The economy: Maximising growth and opportunity across Blackpool"

6.0 Background information

- 6.1 On 1 June 2021 the Licensing Service received an application from JMC Licensing on behalf of Mr Radoslaw Barwinski for a new Premises Licence at Food Plus @ Polon, 47-53 Abingdon Street, Blackpool, FY1 1DH. The property has never held a Premises Licence and

previously traded as a Bright House store.

6.2 The application requests permission to sell alcohol for consumption off the premises 08.00 – 20.00 Monday to Sunday with opening hours from 08:00 to 22:00 Monday to Sunday. A copy of the application is attached.

6.3 Representations have been received from the Licensing Authority, Lancashire Constabulary, the Child Protection Licensing Officer and Public Health. Copies of the representations are attached.

6.4 Local policy considerations:

The premises falls within the area covered by the Off Licence Cumulative Impact Assessment (CIA). The following sections of the policy are relevant:

4.9.1 The location of the main concentration of off-licensed premises suffers from high levels of alcohol related crime and alcohol related hospital admissions. Applications for new licences, or variation of hours within this area will be refused unless the applicant can demonstrate that their application will not lead to an increase in the impact of off licensed premises in this area.

4.10.1 Applications for new licences or variations to existing licences within a cumulative impact area, which are likely to add to the existing cumulative impact, will normally be refused if a relevant representation is received. To persuade the Council to depart from its policy an applicant must demonstrate that their application will not add to the existing cumulative impact in the area. This should be done through the operating schedule and the risk assessment process (if used).

4.10.4 Examples of factors the licensing authority will not consider to rebut the presumption of refusal:

- The premises will be well managed and run as all licensed premises should meet this standard
- The premises will be constructed to a high standard
- The applicant operates similar premises elsewhere without complaint.

4.10.6 Where representations are received the Council will consider the circumstances of each individual application and decide whether it would be justified in departing from its policy and CIA in the light of the individual circumstances of the case.

6.5 National policy considerations:

9.12 – Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective... any responsible authority

under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully... However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

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 – After receiving relevant representations in relation to a new application for... 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.

6.6	Does the information submitted include any exempt information?	No
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7.0 List of Appendices:

- | | |
|-----|---|
| 7.1 | <ul style="list-style-type: none"> 1. Appendix 4(a) Application form for a new Premises Licence 2. Appendix 4(b) Objection from Licensing Authority 3. Appendix 4(c) Objection from Lancashire Constabulary 4. Appendix 4(d) Objection from Public Health 5. Appendix 4(e) Objection from Child Protection Licensing Officer |
|-----|---|

8.0 Financial considerations:

8.1	None.
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9.0 Legal considerations:

9.1	Please see local and national policy in the background information.
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10.0 Risk management considerations:

10.1	None.
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11.0 Equalities considerations:

11.1	None.
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12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

Blackpool Council

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the 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.

I/We Mr Radoslaw Barwinski

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Food Plus @ POLON 47-53 Abingdon Street			
Post town	Blackpool	Postcode	FY1 1DH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£28,500

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Barwinski			First names Radoslaw, Bartlomiej		
Date of birth: [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality: Polish					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					

E-mail address (optional)	
--------------------------------------	--

(B) 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
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		M		YYY		
1	0	0	6	2	0	2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		M		YYYY		

Please give a general description of the premises (please read guidance note 1)

Polon is a European fresh food and general convenience grocery store situated on Abingdon street in a shopping area between the town centre and the central pier. It will be a high-end supermarket offering a wide range of fresh produce, with alcohol as ancillary to the goods being sold (Approximately 5% of stock on display).

The clientele will be predominantly families who are shopping for European speciality foodstuffs and quality meats.

Our client will be investing over £100,000 into the premises and will be employing 4 full time staff and 7 part time staff.

The Premises will become one of 167 stores in the Food Plus network in the UK. Our client is in the process of completing a fixed minimum lease of no less than 5 years as a franchise operator. It is currently undergoing a full refurbishment and is expected to open around the middle of June 2021. It will be completed to a very high standard.

No sales of alcohol will be displayed or sold until we (JMC Licensing) have completed a comprehensive training for all of the management and staff regarding a full understanding of how to use the compliance books, and full awareness is given to all of the posters provided and conditions set out in the operating schedule. Evidence of all Compliance books to be used and other warning posters etc will be sent with this application as supporting evidence.

All log books used will be 'fit for purpose'.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

Supply of alcohol (if ticking yes, fill in box J) X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)			
Wed						
Thur						
			<u>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</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)			
Wed						
Thur						
			<u>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</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur					
			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur					
			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur					
			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Wed						
Thur						
			<u>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</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)			
Wed						
Thur						
			<u>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</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	08.00				
		20.00			
Tue	08.00				
		20.00			
Wed	08.00				
		20.00			
Thur	08.00				
		20.00			
Fri	08.00				
		20.00			
Sat	08.00				
		20.00			
Sun	08.00				
		20.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr Radoslaw Barwinski	
Date of birth: [REDACTED]	Place of birth: [REDACTED] Nationality: [REDACTED]
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) PRPA32058	
Issuing licensing authority (if known) Preston Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08.00		<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
		22.00	
Tue	08.00		
		22.00	
Wed	08.00		
		22.00	
Thur	08.00		
		22.00	
Fri	08.00		
		22.00	
Sat	08.00		
		22.00	
Sun	08.00		
		22.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

1: CCTV

1.1 The premise shall operate an effective CCTV system that will be maintained in good working order to the satisfaction of the Lancashire Constabulary. The CCTV system shall cover all areas of the store including the entrance, point of sale and main alcohol displays.

1.2 Signage warning customers of The CCTV system shall be prominently displayed on the premises. The system will record whenever the premises is open for licensable activities.

1.3 The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering the premises and at the point of sale.

1.4 The location of cameras (to include the stock area) will be recorded on the plan attached to the licence. If any additional cameras are requested/advised by the police, they will be fitted within a reasonable time.

1.5 The recording medium (e.g. discs / tapes / hard drive etc.) and associated images are to be retained and securely stored for a minimum period of 31 days and are to be made available to the Police Constable / Authorised Officer of the Licensing Authority upon request within a reasonable time.

1.6 The Premises Licence Holder or Designated Premises Supervisor will provide the Police with the contact details of at least two members of staff (if any or other person(s) who are trained and familiar with the operation of the equipment so that they are able to provide copies of recorded data upon request and with the absolute minimum delay from the time of the request.

1.7 A full internal weekly check of the CCTV system will be made on a log sheet to ensure that the CCTV system is in good working order and recordings date and time stamped.

1.8 The Premises Licence holder / Designated Premises Supervisor must ensure that steps are taken to rectify any fault in the CCTV system immediately and a log of these steps are made available for inspection to a Police Constable or an authorised officer from the Licensing Authority.

1.9 When the DPS is not on duty, there will be another authorised person who will be contactable at all times and be able to attend the premises within one hour while the supply and 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 cases of emergency

b) The prevention of crime and disorder

As above plus

- 2.1** Roller shutters have been installed at the front of the premises on the inside of all windows.
- 2.2** A 2.4 metre high iron security gate has been fitted to the external rear security doors.
- 2.3** All alcoholic products including spirits will only be displayed and sold from behind the counter; inaccessible to the customers.
- 2.4** No beers or ciders with an ABV of 7.0% or above will be stored or sold from the premises. Signage notifying customers will be displayed at the entrance to the premises and at the point of sale.
- 2.5** No single cans of beer, lager or cider will be sold from the premise. Signage notifying customers of this will be displayed at the entrance to the premises.
- 2.6** The premises will not store or sell any psychoactive substances known as 'legal highs', store or sell fireworks and knives of any size or description.
- 2.7** The names and contact details of all persons who has been authorised to sell alcohol whether paid or unpaid shall be maintained and kept on the premises. This document will be found at the front of the Training manual and shall be produced to a Police Constable or an Officer of the Local Authority upon demand.
- 2.8** The Designated Premises Supervisor and all members of staff when on duty shall ensure that all lawful instructions and /or directions given by the Police are complied with.
- 2.9** Any customer who appears to be carrying an alcoholic drink in an open vessel will be refused service and be asked to leave.
- 2.10** Signage to inform customers will be in place near the point of sale and exits warning customers of the Public Space Protection Order.
- 2.11** No credit will be given for the sale of alcohol
- 2.12** There shall be a minimum purchase for the value of £5.00 of non alcoholic products (not including cigarettes) before any alcoholic products can be purchased.

INCIDENT LOG

- 2.13** The premises shall maintain an incident book to record details of the Following:-

- Any violence or anti-social behavior on or immediately outside the premises,
- Any other crime or criminal activity on the premises,
- Any call for police/ambulance assistance to the premises,

2.14 The log records shall be made immediately available on request to a Police Constable or an Officer authorized by the Licensing Authority (as defined by section 13 of the Licensing Act 2003) All records shall be retained on the premises for 12 months from the date of the incident.

2.15 Any staff employed at the premises shall be provided with training before they sell alcohol and refresher training every 6 months thereafter. Training will include information on preventing the sale of alcohol to somebody who is drunk and Age Restricted Products.

2.16 A written record will be kept of all training carried out. These records will be stored on the premises and made available for inspection to a Police Constable or an Officer authorized by the Licensing Authority within a reasonable time.

c) Public safety

No risk assessed

d) The prevention of public nuisance

4.1 Prominent, clear and legible signage shall be displayed at the exits to the premises requesting the public to respect the needs of local residents, businesses and to leave the premises and the area quickly and quietly.

4.2 The Premises Licence holder / Designated Premises Supervisor will ensure that litter arising from people using the premises is cleared away on a regular basis.

4.3 The Premises Licence Holder will fix a waste bin outside the premises and empty this daily.

4.4 The Premises Licence Holder will ensure that no lighting or air conditioning units will cause any nuisance to another neighbouring property.

4.5 All trade waste will be stored in a commercial lidded waste container at the rear of the premises and removed under contract by a registered waste collector.

4.6 The staff will observe the external frontage of the premises using the CCTV monitor and use their best endeavours to disperse any customers that appear to

e) The protection of children from harm

5.1 The premises will operate a "Challenge 25" proof of age policy which will require any person who appears to be under the age of 25 to produce identification to prove they are 18 or over.

5.2 Only a passport, photo-card driving licence, European Union ID, Armed Forces ID cards or a proof of age card bearing the official "PASS" accreditation hologram, a photograph of the individual and date of birth shall be accepted as proof of age.

5.3 Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.

5.4 The premises is to maintain a refusals log book to record the details of all refusals of the sale of alcohol to persons suspected of being under the age of 18, appear to be drunk or suspected proxy sales.

5.5 The Premises Licence holder / Designated Premises Supervisor or nominated representative shall regularly monitor the entries in the log, sign and date when checked. The book must be made available to a Police Constable or an Officer authorised by the Licensing Authority upon request.

5.6 Any person who is authorised to sell alcohol at the premises will be provided with training before they sell alcohol and refresher training every 6 months thereafter. Training will include information on how to prevent underage sales, acceptable forms of ID, basic conflict management and Age Restricted Products.

5.7 A written record will be kept of all training provided and this record will be kept on the premises for inspection by a Police Constable or an Officer authorised by the Licensing Authority upon request.

5.8 No person under the age of 18 will be employed to work at the premises.

5.9 Alcohol refusals policies will be displayed at the entrance of the premises, the point of display and the point of sale.

5.10 Proxy notices will be prominently displayed at all places where alcohol is displayed and sold from and at the point of sale.

Checklist:

Please tick to indicate agreement

- | | |
|---|--------------------------|
| • I have made or enclosed payment of the fee. | X |
| • I have enclosed the plan of the premises. | X |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable. | <input type="checkbox"/> |
- Electronic application*

- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. **X**
- I understand that I must now advertise my application. **X**
- I understand that if I do not comply with the above requirements my application will be rejected. **X**
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). **X**

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.

It is an offence under section 24b of the immigration act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the immigration, asylum and nationality act 2006 and pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>Tony Clarke</i>
Date	30 th May 2021
Capacity	Agent on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Tony Clarke JMC Licensing Consultants 540 Antrim Road			
Post town	Belfast	Postcode	BT15 5GJ
Telephone number (if any)	<div style="background-color: black; width: 100px; height: 1.2em;"></div>		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) securelicenses@gmail.co.uk			

Consent of individual to being specified as premises supervisor

I: *[name of prospective premises supervisor]*

Mr Radoslaw Barwinski

[home address of prospective supervisor]

of:

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Application for a Premises Licence under s17 of the Licensing Act 2003
[type of application]

by

[name of applicant]

Mr Radoslaw Barwinski

relating to a premises licence

TBA

[number of existing licence, if any]

for

[name and address of premises to which the application relates]

FoodPlus@Polon, 47-53 Abingdon Street, Blackpool, FY1 1 DH

and any premises licence to be granted or varied in respect of this application made by

Mr Radoslaw Barwinski

[name of applicant]

concerning the supply of alcohol at

FoodPlus@Polon, 47-53 Abingdon Street, Blackpool, FY1 1 DH

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PRPA32058

[insert personal licence number, if any]

Personal licence issuing authority

Preston Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

a

Mk







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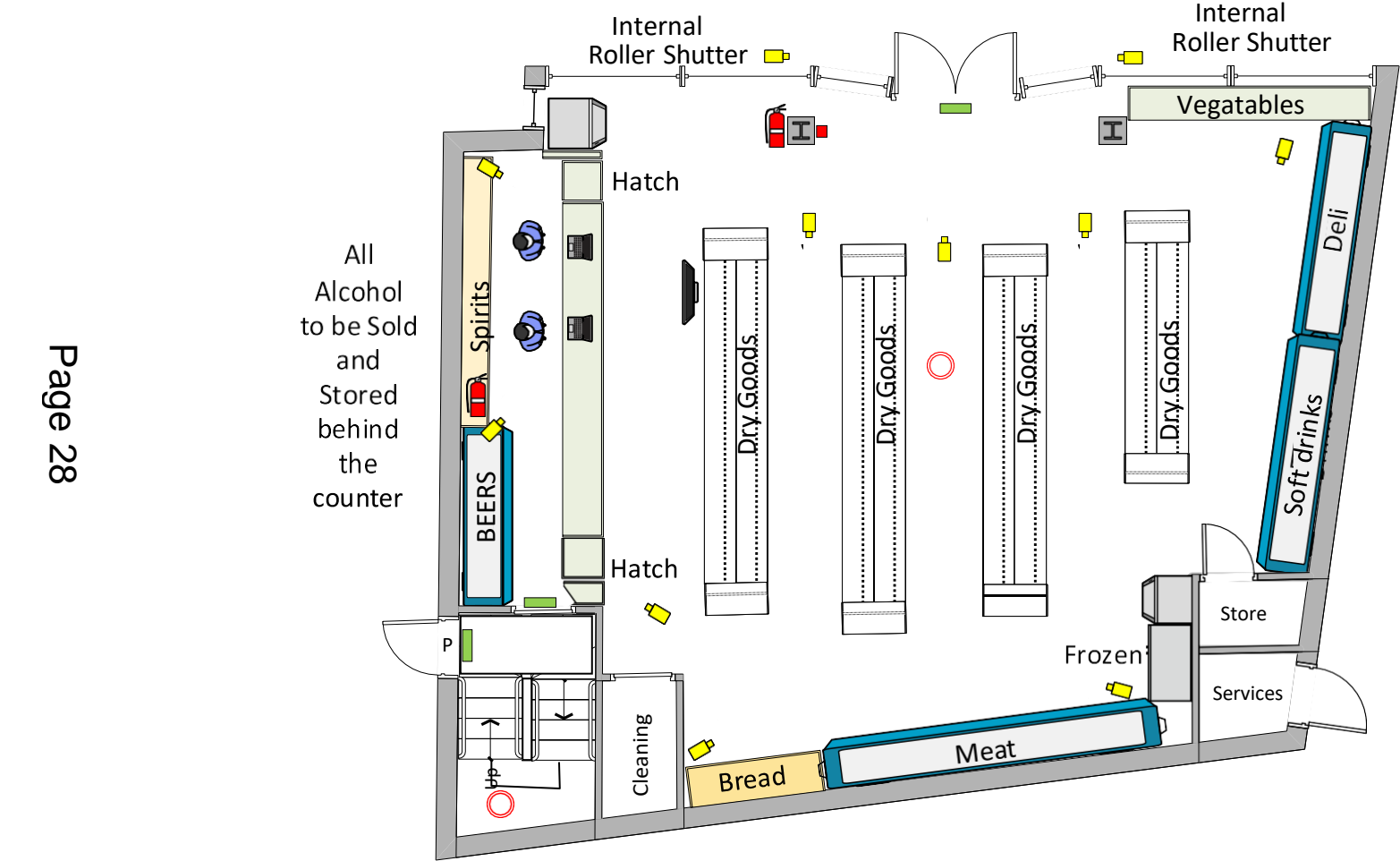
Name *(please print)*

Mr Radoslaw Barwinski


Date

18th May 2021

LEGEND	Smoke Detector		Fire Bell		Fire Exit	
	Camera		Fire Ext. Water		Monitor	



Drawing Purpose PREMISES LICENCE APPLICATION		Name of Premises Food Plus @ Polon	Premises Address 47-53 Abingdon Street Blackpool FY1 1DH	SCALE 1-100
Drawing Details The purpose of this drawing is for the submission of a Premises Licence Application. All Measurements have been drawn in millimeters. This drawing is not used for the intention of any building, shop fitting or construction purposes.				

Blackpool Council Licensing Service				
Representation made by a Responsible Authority				
Responsible Authority				
Name of Responsible Authority	Licensing Authority			
Name of Officer (please print)	Lee Petrak			
Signature of Officer				
Contact telephone number	01253-477861			
Date representation made	22	06	2021	
Do you consider mediation to be appropriate			<input type="checkbox"/>	NO
Premises Details				
Premises Name	Food Plus @ POLON			
Address	47-53 Abingdon Street			
	Blackpool			
Post Code	FY1 1DH			
Details of your representation (Please refer and attach any supporting documentation)				
<p>I am the above named person and I make these representations on behalf of the Licensing Authority in my capacity as Trading Standards and Licensing Manager. I am in receipt of a copy of the application for a premises Licence in respect of the premises referred to above.</p> <p>The application is for the supply of alcohol off the premises between 8am – 8pm Mon – Sun. The applicant has indicated that the intention is to operate these premises as a European super market. Following a conversation with Mr Clarke of JMC Licensing, I am led to believe that the operation of the store will be similar to that of a Sainsbury's/Tesco local.</p> <p>Having perused the substantial conditions offered in support of the application it is clear that the applicants have considered the Licensing objectives to a significant degree. However, due to the location of the proposed premises, which is in an area of "cumulative impact" the question for the Authority is whether the application will not lead to an increase in the impact of off-licensed premises in this area. The location of the premises is approximately 100 metres from The Co-Op store, which is Licensed for off sales, it is also approximately 25 metres from News & Booze, again licensed for off sales and approximately 50 metres from Home Bargains, also Licensed for off sales.</p> <p><i>Policy Considerations</i></p> <p>Paragraph 4.9.1 of the Blackpool Statement of Licence Policy 2021 and appendix C of the same, disclose the areas of Blackpool where it is considered the cumulative impact of off-licence premises</p>				

exists. The location of these premises is situated in Talbot ward. The whole of Talbot ward is included in the cumulative impact area.

Talbot Ward is an area of Blackpool that is saturated with Licensed premises. The Blackpool Cumulative Impact Assessment 2021 indicates at page 4 of the document that Talbot ward is home to the largest concentration of off licence premises in the town. Twenty three off licence premises exist in this area which is 12.8% of all off licence premises in Blackpool.

Pages 8 and 9 of the Blackpool Cumulative Impact Assessment 2021 demonstrates that Talbot ward is statistically one of the worst affected areas in relation to alcohol related crime data and alcohol related hospital admissions data. Figures A & B of the CIA document also show the geographical location of off licence premises in the respective ward areas. Upon visual analysis of these illustrations it is easy to see the link between high volumes of off licence premises and higher levels of alcohol related incidents.

Figure A

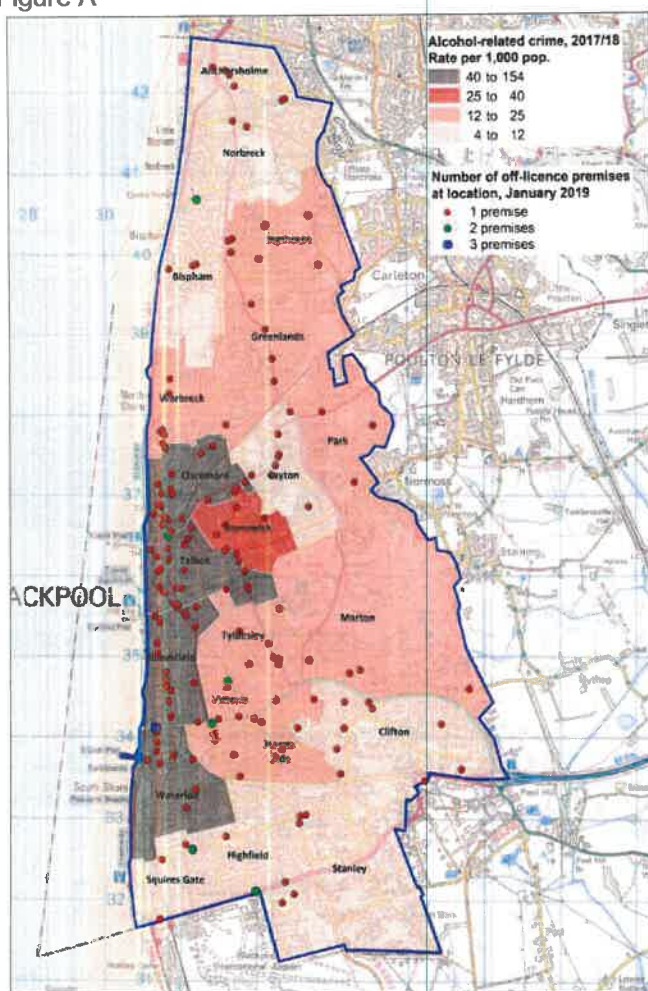
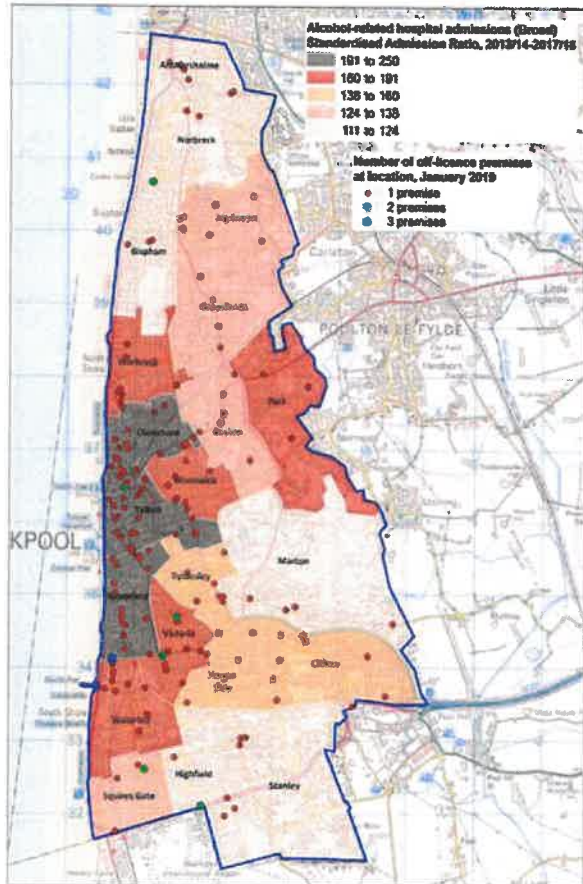


Figure B

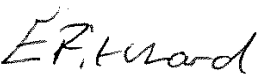


To conclude, the location of the proposed new premises licence automatically invokes consideration of the Council's CIA document and Statement of Licensing Policy. This in turn creates a rebuttable presumption that the application should be refused unless it can be established to the satisfaction of the Authority that the granting of this Licence will not add to the cumulative impact already being experienced in this area.

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.

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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 (please print)	PC 4107 Emma Pritchard			
Signature of Officer				
Contact telephone number	01253 604073			
Date representation made	25	06	21	
Do you consider mediation to be appropriate				NO
Premises Details				
Premises Name	Food Plus @ Polon			
Address	47-53 Abingdon Street			
	Blackpool			
Post Code	FY1 1DH			
Reasons for making representations				
<p>I am in receipt of an application for a New Premises Licence for the above address. On behalf of the Chief Officer of Police having reviewed the application the Police wish to make a formal objection on the following grounds.</p> <p>The Police base the objection on the fact that the new premises is within the Off Licence Cumulative Impact Assessment Area. The purpose of this Policy is to create a rebuttable presumption that any applications such as the above will be refused a licence.</p> <p>The number, type and density of the premises selling alcohol in a particular area can lead to serious problems of nuisance and disorder. In these circumstances the impact of the premises taken as a whole can be far greater than that arising from individual premises. In most cases it would be impossible to identify an individual premise as being the sole cause or major contributing factor.</p>				

It is noted that Blackpool has high levels of alcohol related harm for the size of the population and has widespread deprivation within the Central Wards of the town. There are already approximately 179 licensed premises in Blackpool, half of which are located in the most deprived wards in the town.

In 2019 Lancashire Police recorded 12,001 alcohol related incidents and the highest suffering area was Blackpool with 2,511 with the next highest being Preston at 1,444. Of these incidents the two most affected wards are Claremont and Talbot.

This premises falls within Talbot Ward close to the border with Claremont Ward and is a large premises (previously Bright House). Within a two minutes stroll from here is News & Booze, Co-op, Iceland, Home Bargains, Booze Buster and Marks & Spencers. The availability of alcohol in this immediate area is already excessive.

According to Police logs in the last year (between 25/06/2020 – 25/06/2021) there have been 229 recorded incidents on Abingdon Street alone. The highest incident location on Abingdon Street during this time was the Co-op. These incidents included theft, nuisance, police generated, harassment, assault and concern for safety. Many of these incidents relate to individuals that suffer from alcohol and drug abuse. Abingdon Street also has regular rough sleepers and street drinkers that have become verbally abusive to the public on many occasions. The Police concern is that by allowing another off-licence in this area alcohol is even more available and this would further exasperate the problems already being experienced in this area.

It can be noted that the applicants solicitor did make contact with the Police prior to submitting this application in order to get recommendations to reduce any impacts on the licensing objectives, however the Police are of the opinion that this premises would add to the cumulative impact already being experienced in the area.

A hearing would allow the Licensing Committee to examine the prospective operators' intentions and rebut the presumption that the operation of the premises will add to the cumulative impact and therefore crime and disorder.

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

Blackpool Council Licensing Service Representation made by a Responsible Authority to an application for the grant of a Premises Licence				
Responsible Authority				
Name of Responsible Authority	Public Health, Blackpool Council			
Name of Officer <i>(please print)</i>	Dr. Arif Rajpura, Director of Public Health			
Signature of Officer	Dr. Arif Rajpura			
Contact telephone number	01253 476363			
Date representation made	22	06	2021	
Do you consider mediation to be appropriate				No
Premises Details				
Premises Name	Food Plus @ Polon			
Address	45-53 Abingdon Street			
	Blackpool			
Post Code	FY1 1DA			
Reasons for making representations				
<p>The Public Health Department, Blackpool Council, write in reference to the application for a licence to sell alcohol from Food Plus @ Polon in Talbot ward.</p> <p>Talbot Ward has been subject to the Cumulative Impact Policy (CIP) since 2009.</p> <p>As stated in Blackpool Council's Statement of Licensing Policy –</p> <p>The effect of the policy is to create a rebuttable presumption that applications listed above 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.</p> <p>Following review of this application, Public Health, Blackpool Council, make a formal objection due to the following concerns:</p> <p>Deprivation</p> <ul style="list-style-type: none"> Blackpool is ranked amongst the most deprived areas in the country. Talbot Ward is the third 				

most deprived ward in Blackpool.

- There is a statistical correlation between Blackpool's areas of deprivation and hotspots for violent crime, domestic abuse, and criminal damage, all associated with alcohol abuse to some degree.

Health related information

- Health statistics show Talbot ward to have amongst the highest ratio of alcohol-related hospital admissions in Blackpool.
- The alcohol-related admission rate of 279.9 per 100,000 is almost 200% higher than the national average – Blackpool as a whole is 83% higher than the national average.
- Ambulance callout rates for overdose, ingestion and poisoning are three times higher than the Blackpool average of 10.3 and almost eight times higher than the Lancashire average of 3.6.
- There were 44 assault-related attendances at A&E in 2018/19 from people living in Talbot. This is an attendance rate of 6.9 per 1,000 population, 1.5 times higher than the Blackpool average (4.3) and 2.5 times higher than the Lancashire average (2.7).
- Talbot has the third highest rate of assault-related A&E attendances in Blackpool, where rates range from 1.6 in Bispham to 11.2 in Bloomfield.
- There were 347 police-recorded domestic abuse incidents in Talbot in 2019/20. Talbot has the second highest recorded crime rate for domestic abuse in Blackpool, a rate of 54.5 per 1,000 population compared to a Blackpool average of 24.1 per 1,000 and a Lancashire average of 11.5 per 1,000.

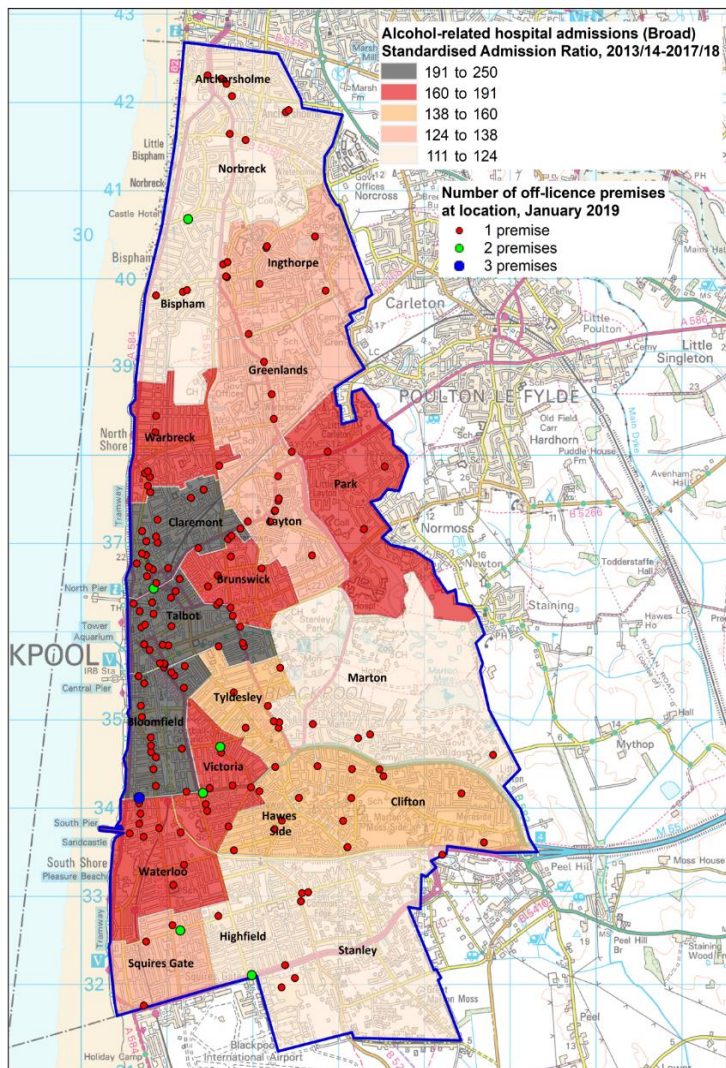
Alcohol reported incidents

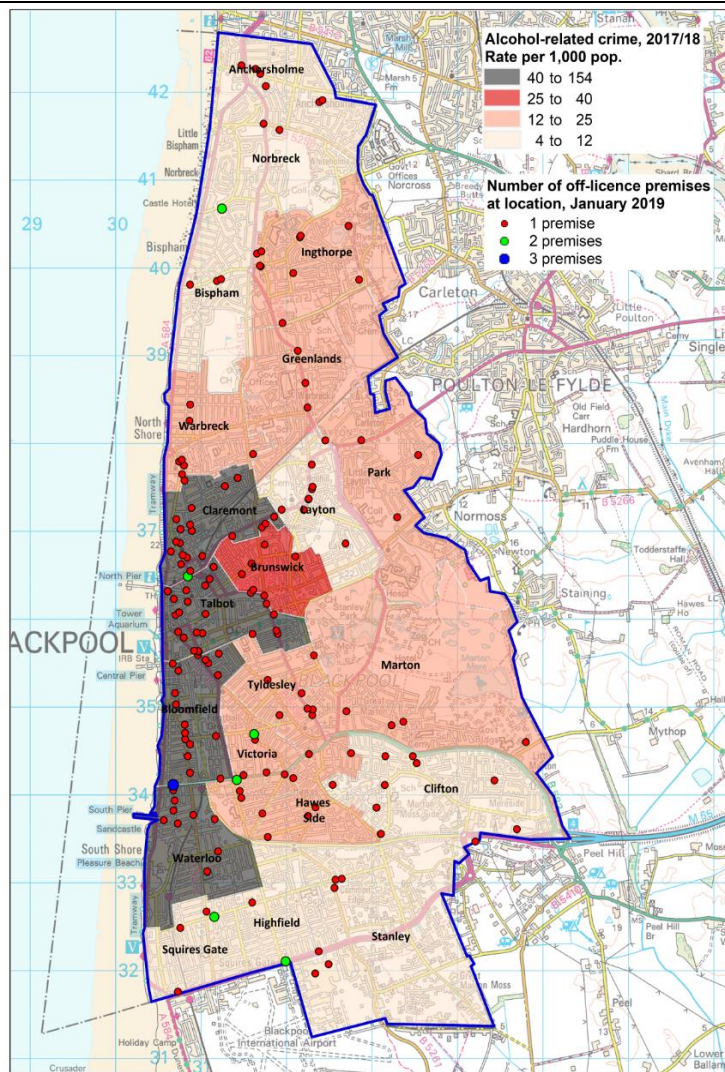
- In 2019/20, 428 of Talbot's police-recorded incidents had an alcohol qualifier – i.e. incidents where the consumption and effects of alcohol are more than merely incidental.
- There were 418 notifiable crimes in Talbot in 2019/20 where alcohol consumption was an aggravating factor.
- Talbot has the second highest rate of alcohol related crime in Blackpool.
- The rate of alcohol related crime in Talbot is 65.7 per 1,000 population, over three times higher than the Blackpool average of 18.0 and ten times higher than the Lancashire average of 6.4.
- There were 418 notifiable crimes in Talbot in 2019/20 where alcohol consumption was an aggravating factor.

Concerns regarding the application:

Public Health justifiably has concerns that if an alcohol license is granted to these premises, it would increase the availability of alcohol in an area which is already experiencing significant levels of alcohol-related harm. This premise is situated in a ward that has one of the highest number of off-licence premises in the whole of Blackpool. There are 19 off-licence premises in Talbot ward (data as at May 2020). The maps below demonstrate the cluster of alcohol premises in Talbot ward and the

surrounding areas in relation to the rate of alcohol-related hospital admissions and alcohol-related crime. We can find no evidence that a minimum £5 spend will have any impact on the concerns set out in this objection, and there is no evidence on what would be achieved.





Public Health has concerns that this premises is situated in an area where there are also a large number of premises that sell alcohol within close proximity.

Public Health believes that the applicant has not taken the wider challenging factors of the area into consideration within their application. Public Health is aware of the problem of street drinking within the locality in which this premise is located. These problems have a negative impact on public safety and the health and wellbeing of the local community. The sale of low value/high alcohol products and the potential negative impact of increasing alcohol availability within this locality are not taken into consideration.

Public Health would ask the Licensing Committee to consider the potential risks associated with the increase in the availability of alcohol within this Saturation Area in their deliberations as to whether to grant this application. It is difficult to see how the granting of this application would not add to the cumulative impact already experienced in this area.

Data sources:

PHE, Local Health

TIIG AED Assault data

MADE District Profile - <https://www.lancashire.gov.uk/lancashire-insight/made-partners-area/tables-and-charts/>

Blackpool JSNA 2019

A handwritten signature in black ink, appearing to read 'A. Rajpura', with a long horizontal flourish underneath.

Dr Arif Rajpura

Director of Public Health, Blackpool Council

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Blackpool Council Licensing Service Representation made by a Responsible Authority				
Responsible Authority				
Name of Responsible Authority	Blackpool Child Protection Licensing Officer			
Name of Officer <i>(please print)</i>	Louise Scales			
Signature of Officer	L.M. Scales			
Contact telephone number	07342 032205			
Date representation made	26	06	2021	
Do you consider mediation to be appropriate				NO
Premises Details				
Premises Name	Food Plus @ Polon			
Address	47-53 Abingdon Street			
	Blackpool			
Post Code	FY1 1DH			
Details of your representation (Please refer and attach any supporting documentation)				
<p>My role as Child Protection Licensing Officer focusses on managing the various risks that makes both children and adults unsafe, alcohol constituting a significant risk factor.</p> <p>On behalf of Blackpool Council Community Safety I object to the application for a premises licence at Food Plus @ Polon, 47-53 Abingdon Street, Blackpool, as it is located within the Off Licence Saturation Policy Area.</p> <p>The premise is at the heart of an area with high levels of deprivation, anti-social behaviour and already has a large number of off licences and takeaways. Additional licensed premises would have a negative impact on the area.</p> <p>I am concerned that based on the application the applicant has not given consideration as to how the operation would not add to existing problems in the area.</p> <p>I would recommend that this application is refused.</p>				

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.