

## MINUTES OF LICENSING PANEL MEETING - MONDAY, 24 JANUARY 2022

### **Present:**

Councillors

Hunter

O'Hara

D Scott

### **In Attendance:**

Sarah Chadwick, Democratic Governance Senior 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 Hunter 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 to the relevant parties within five working days.

### **4 APPLICATION FOR A NEW PREMISES LICENCE - 253 FLEETWOOD ROAD, BLACKPOOL FY5 1NJ**

The Licensing Panel considered an application from Mr Salvatore Fodera for a new Premises Licence at 253 Fleetwood Road, Blackpool, FY5 1NJ. Representations had been received from Norbreck ward Councillors Mrs Maxine Callow and Julie Sloman.

Mr Fodera appeared before the Panel accompanied by his legal representative Mr Geoff Ormrod who presented the case on his behalf. The application was to licence a purpose built storage area, which had yet to be constructed, to the rear of Mr Fodera's residential property from which deliveries of Italian delicatessen items would take place, including alcohol.

A similar application had been made last year and refused by a Licensing Panel in October 2021 but Mr Ormrod accepted on that occasion that the application had been premature, with insufficient plans being provided for the Panel's consideration who had expressed concern about the security of the proposed storage arrangements. Members' attentions were drawn to the professionally drawn plans that had now been submitted with the new application and Mr Ormrod explained that the proposed construction would provide secure storage with CCTV coverage and that the only access would be from the front of the building via the property's driveway.

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The Panel was reminded that no objections had been received from any of the Responsible Authorities and Mr Ormrod confirmed that no members of the public would attend the premises to purchase goods or collect orders, nor would there be any signage on display outside the property. Assurances were given that only pre-ordered goods would be delivered and that alcohol would not be available for same-day delivery.

Answering questions, Mr Fodera explained that the business would be promoted online via social media and through leafleting in the local area. In response to concerns about noise from deliveries taking place until 10pm, it was explained that the intention was generally not to operate until that time and that only one or two delivery runs would be undertaken per day. If however the business proved successful a larger premises would be sought to operate from. Mr Ormrod referred to the busy parade of shops nearby and concluded that the proposed business would not adversely impact upon the licensing objectives and therefore invited the Panel to grant the application.

Councillor Mrs Maxine Callow addressed the Panel and referred to the previous decision to refuse the application. In her opinion the new application still did not provide assurance as to the security of the alcohol storage area as the extension had yet to be granted planning permission and concerns were raised about the storage of the alcohol prior to the unit being constructed. Referring to other businesses in the area, Councillor Mrs Callow explained that they had been purpose built as commercial premises and expressed her concerns about the impact on residents of alcohol deliveries from a domestic property in an area she considered primarily residential.

Councillor Sloman requested that the Panel considered the impact on local residents and explained that both she and Councillor Mrs Callow represented their ward constituents, many of whom had raised concerns with them in relation to the application. She reinforced Councillor Mrs Callow's view that the application was still premature and that the grant of a licence should not be considered until the unit had obtained planning permission and been constructed.

The Panel carefully considered the information provided by all parties. Members did not believe that the concerns in relation to the security of the alcohol storage facility had been adequately addressed since the last application. Whilst Members acknowledged that planning permission was considered under a different regime, it agreed that in order to fully consider the licence application that the applicant should at least have been granted planning permission before submitting the application. In the event of refusal of planning permission, the Panel would want to consider in detail alternative plans for the storage of the alcohol, so that it could be satisfied that these did not undermine the licensing objectives particularly Prevention of Crime and Disorder, and the Prevention of Public Nuisance. The Panel therefore concluded that the application was premature and agreed to refuse the application.

### **Resolved:**

To refuse the application for a new Premises Licence for 253 Fleetwood Road, Blackpool, FY5 1NJ.

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### **Chairman**

(The meeting ended 11.02 am)

Any queries regarding these minutes, please contact:  
Sarah Chadwick Democratic Governance Senior Advisor  
Tel: 01253 477153  
E-mail: [sarah.chadwick@blackpool.gov.uk](mailto:sarah.chadwick@blackpool.gov.uk)