

MINUTES OF LICENSING PANEL MEETING - THURSDAY, 24 MARCH 2022

Present:

Councillors

O'Hara

D Scott

Wilshaw

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 D Scott 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 application and representations would be heard and that an equal time limit of twenty minutes had been allocated for each party.

4 APPLICATION FOR A NEW PREMISES LICENCE - MARVIN'S, 19-23 HIGHFIELD ROAD

The Licensing Panel considered an application for a new Premises Licence in respect of Marvin's, 19-23 Highfield Road, Blackpool, FY4 2JD.

Representations had been received from two members of the public, Mr William Etherington who was in attendance and Mr Owen Newman who was unable to attend but whose comments were considered in his absence. Mr Alex Huckerby appeared before the Panel on behalf of the applicant, Marvin's Blackpool Limited, accompanied by his representative Mr Mark Marshall.

Presenting the applicant's case, Mr Marshall explained that Marvin's Blackpool Limited was a reputable operator who had experience in running other similar premises on the Fylde Coast. The Panel was advised that the application was to convert a former retail premises into a bar which would provide the sale of alcohol and entertainment from 11.00 to midnight Monday to Thursday and 11.00 to 01.00 Friday to Sunday. An additional 30 minutes would be provided after the cessation of licensable activities before the premises closed to allow for the gradual dispersal of patrons.

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Addressing concerns raised by the objectors that the premises was to be a nightclub, Mr Marshall explained that the premises did not intend to operate late enough to meet all the criteria to be classified as such according to guidance issued by the Government during the Coronavirus pandemic. He further informed the Panel that he considered the proposed capacity of approximately 200 persons to be modest.

In regards to concerns of potential noise nuisance to adjacent properties, Members were advised that professionally designed soundproofing would be installed at the premises to industry standard specifications. The applicant offered to test the soundproofing from within the adjoining properties following installation to ensure that the sound attenuation was fit for purpose before the venue opened and, if not adequate, further work would be undertaken at the operator's expense to rectify.

Mr Marshall referred to other licensed premises in the vicinity which operated to the same terminal hour as that proposed. As a result he did not believe that there would be any nuisance caused by the migration of customers between venues in the area at closing time and indicated that the granting of an earlier terminal hour could exacerbate the potential for that problem. Door supervisors would manage the dispersal of patrons and smokers outside the premises to prevent disturbance to local residents.

Members were reminded that no objections had been submitted by any of the Responsible Authorities and the Panel's attention was drawn to the conditions that had been agreed and volunteered by the applicant as part of a pre-application consultation with Environmental Protection and Lancashire Constabulary. Mr Marshall concluded that the robust conditions offered would ensure that the premises would have no detrimental effect on the Licensing Objectives and therefore invited the Panel to grant the application.

Mr Etherington presented his representations to the Panel and explained that he was the landlord of the adjoining building to Marvin's. His property shared a boundary wall with the proposed premises and he expressed concerns on behalf of his tenants in respect of noise nuisance between the walls of the properties and potential disruption from customers entering and leaving the premises.

The applicant's offer of soundproofing was noted by Mr Etherington, however he remained concerned about the effectiveness of such measures. In his opinion the location was unsuitable for a licensed premises with entertainment due to the adjoining residential accommodation. He suggested that, should the Panel be minded to grant the application, a terminal hour of 11pm would be more appropriate initially to enable the authorities and residents to monitor how the premises was managed before any later hours were considered.

The Licensing Panel considered the application and representations. It noted that the premises was in a mixed commercial area in keeping with other similar licensed premises in the vicinity and noted the applicant's offer to install soundproofing to a professional standard. Members acknowledged the concerns raised by the objectors however decided on balance to grant the licence subject to a condition requiring a noise assessment to take place prior to the premises opening to the public.

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Resolved:

That the application for a new Premises Licence for Marvin's, 19-23 Highfield Road, be granted subject to the following condition:

“Before any licensable activities take place a competent person will be engaged to conduct a noise assessment to ensure the sound attenuation works completed are fit for purpose and any sound equipment is set at a level that ensures as best as possible, that no unreasonable levels of sound can be heard from nearby sensitive properties. This noise assessment will be shared with the Licensing Service and the licence holder will undertake any additional works recommended in that assessment prior to the premises opening to the public. The findings and recommendations of the noise assessment will be shared with Environmental Protection on request.”

Chairman

(The meeting ended 10.53 am)

Any queries regarding these minutes, please contact:
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