

MINUTES OF LICENSING PANEL MEETING - TUESDAY, 28 JUNE 2022

Present:

Councillors

G Coleman

Hutton

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 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 application and representations would be heard and that each party would be allocated 20 minutes to present their case.

4 APPLICATION TO VARY A PREMISES LICENCE - A.A. RETAIL LTD, 99-101 WHITEGATE DRIVE

The Licensing Panel considered an application to vary Premises Licence PL1118 for A.A. Retail Ltd, 99-101 Whitegate Drive, Blackpool, FY3 9BY. Representations had been received from the Licensing Authority and Lancashire Constabulary.

The applicant, Mr Gunaratnam Ketheeswaran, appeared before the Panel accompanied by his representative Mr Mark Marshall. Presenting the case, Mr Marshall explained that the application was to extend the operating hours to 07.00 to midnight Monday to Sunday which would bring the store in line with other similar licensed premises in the area.

Mr Ketheeswaran had taken over the premises in 2014 at which time the licence had already been endorsed with a number of stringent conditions which had remained in place following a review of the licence under the previous operator. Mr Marshall advised the Panel that there had been no concerns raised by the Responsible Authorities since Mr Ketheeswaran had begun trading and that the applicant had invested in the refurbishment of the premises to create a high quality establishment.

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Acknowledging that the premises fell within the area covered by the Cumulative Impact Assessment, Mr Marshall referred to part 4.1.7 of Blackpool Council's Statement of Licensing Policy and considered that the application was appropriate for the local area with the proposed terminal hour of midnight being no later than other on and off licensed premises in the immediate locality.

Referring to crime figures in Talbot ward, within which the premises was located, Mr Marshall explained that statistics varied across the ward and the area in which the premises was located had much lower crime figures than areas nearer to the Promenade, despite being within the same ward boundary. Addressing the Panel directly, Mr Ketheeswaran explained that there was a low demand for alcohol early in the morning and that he had not seen any evidence of problems caused by street drinkers in the area.

Mr Marshall added that the premises was a community based store with a loyal and diverse customer base and that although alcohol sales formed a small part of the business the additional income received from a modest extension in hours would simply serve to help the applicant meet his rising operating costs whilst having no impact on the licensing objectives. He therefore considered that granting the application would not undermine those objectives and that it would be reasonable for the Panel to depart from its policy and to grant the application.

Presenting the objection on behalf of the Licensing Authority Mr Lee Petrak, Trading Standards and Licensing Manager, referred to his written objection and Blackpool Council's Off Licence Cumulative Impact Assessment, highlighting that the premises fell within that area. Mr Petrak acknowledged the investment that the applicant had made in the premises including the installation of a high specification CCTV system. Whilst he accepted that there was no significant change sought to the trading hours, he invited the Panel to consider whether it was appropriate to depart from the policy and grant the application.

Sergeant Nat Cox presented the representation on behalf of Blackpool Police Licensing Unit. He agreed with Mr Petrak's view that the premises was fitted out and run to a high standard and explained that he had no concerns with the applicant's compliance with the existing licence conditions. However, due to the location of the premises within the area covered by the Cumulative Impact Assessment, he suggested that the Panel give careful consideration as to whether the application was outstanding enough to depart from the policy.

The Panel considered the information provided by all parties. Members noted the good operating record of the applicant and acknowledged the investment that had been made into the business. Careful consideration was given to Blackpool Council's Statement of Licensing Policy and Cumulative Impact Assessment, noting that each application should be determined on its own merits and that in order to depart from the Policy and grant the application the onus was on the applicant to demonstrate that granting the application would not add to the existing cumulative impact in the area. On balance, the Panel decided that based on all the information provided by the applicant the additional hours proposed would not add to the cumulative impact and therefore agreed to grant the application.

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Resolved:

To grant the application to vary Premises Licence PL1118 for A.A. Retail Ltd, 99-101 Whitegate Drive, Blackpool, FY3 9BY.

Chairman

(The meeting ended 2.41 pm)

Any queries regarding these minutes, please contact:
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