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Blackpool Council

25 October 2022

To: Councillors Hunter, Hutton and Wilshaw

The above members are requested to attend the:

LICENSING PANEL

Tuesday, 1 November 2022 at 5.15 pm
in Committee Room A, Town Hall, Blackpool

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 TEMPORARY EVENT NOTICE- SAGGA NEWS, 30 DEANSGATE (Pages 1 - 22)

To consider a Temporary Event Notice for Sagga News, 30 Deansgate, Blackpool, FY1 1BN

- A. Application and representations submitted. To consider the attached report.
- B. Determination of the Temporary Event Notice for Sagga News.

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

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Sarah Chadwick, Democratic Governance Senior 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:	Lisa Ashton, Licensing Officer
Date of Meeting :	1 November 2022

TEMPORARY EVENT NOTICE – Sagga News, 30 Deansgate

1.0 Purpose of the report:

1.1 To consider a Temporary Event Notice (TEN) for Sagga News, 30 Deansgate, Blackpool, FY1 1BN.

2.0 Recommendation(s):

2.1 To consider the objection and determine whether to allow the event to go ahead, add conditions to the TEN or issue a Counter Notice.

3.0 Reasons for recommendation(s):

3.1 An objection has been received therefore there must be a hearing to consider whether to allow the event to go ahead, add conditions to the TEN or issue a Counter Notice.

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 a TEN is submitted and an objection 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 20 October 2022 the Licensing Service was served with a Temporary Event Notice by Mr Mark Marshall on behalf of Mr Sivasankar Murugaiyan for Sagga News, 30 Deansgate, Blackpool, FY1 5BN. The notice relates to the sale by retail of alcohol “off the premises” for 4 to 10 November 2022 - 09.00 to 21.00 hours daily. A copy of the application is attached at Appendix 4(a) along with supporting information from the Applicant’s agent at Appendix 4(b).

6.2 Lancashire Constabulary has objected to the event taking place on the grounds that it will undermine all four of the licensing objectives and that the premises falls 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. The Police recently objected to a Premises Licence application in relation to the same address which was subsequently withdrawn.

A copy of the Police objection is attached at Appendix 4(c).

6.3 National policy considerations:

Section 7 – Temporary Event Notices is relevant:

The system of permitted temporary activities is intended to be a light touch process where notice is given by the premises user that they intend to carry out specified activities. The Police and Environmental Health Team have three working days to object to the notice on the basis of any of the four licensing objectives.

6.4 Local policy considerations:

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 Cumulative Impact Policy in the light of the individual circumstances of the case.

6.5 At the hearing the Panel can either let the event go ahead, serve a Counter Notice to prevent the event going ahead or, after considering the objection, may decide that it is appropriate for the promotion of the licensing objectives to impose one or more conditions onto the TEN.

6.6 In September 2022 the applicant applied for a Premises Licence at the same address but consequently withdrew his application following objections from the police. The previous objection is outlined in the objection from Lancashire Constabulary at Appendix 4c.

7.0 List of Appendices:

- 7.1 Appendix 4(a) - Application for a TEN – Sagga News
- Appendix 4 (b)- Supporting Information from the Applicant’s Agent
- Appendix 4(c) - Police objection to TEN – Sagga News

8.0 Financial considerations:

- 8.1 None.

9.0 Legal Considerations:

- 9.1 Please see local and national policy in the background information.

10.0 Risk Management considerations:

- 10.1 None.

11.0 Equalities considerations:

- 11.1 None.

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.

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Blackpool Council

Application for a Temporary Event Notice

Applicant's Name:	Sivasankar Murugaiyan
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Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

T: (01253) 47 8572
F: (01253) 47 8372

www.blackpool.gov.uk/licensing

Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Murugaiyan		
Forenames	Sivasankar		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	/		
Forenames	/		
3. Your date of birth		Day	Month
		██████	██████
4. Your place of birth		██████████	
5. National Insurance Number		██████████	
6. Your current home address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
████████████████████			
Post town		Postcode	
██████████		██████████	
7. Other contact details			
Telephone numbers		██████████	
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)		██████████	
E-Mail Address (if available)		██████████████████	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
N/A			
Post town		Post code	
/		/	

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	/
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Sagaa News, 30 Deansgate, Blackpool FY1 1BN	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	n/a
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
N/A	
Please describe the nature of the premises below. (Please read note 4)	
Convenience Stores selling general groceries, newspapers, and cigarettes. The premises is approximately 15m x 5m with a fixed sales point located across the East wall. The premises are accessible via one means of entry and exit which is situated on the front elevation on Deansgate.	
Please describe the nature of the event below. (Please read note 5)	
A modest amount of alcohol sales, no special event other than to take advantage of statutory entitlements	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
EITHER: The sale by retail of alcohol	<input checked="" type="checkbox"/>	
OR: The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (please read note 7)		
	<input type="checkbox"/>	
The provision of late night refreshment		
	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)		
	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities (Please read note 9):		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock) (Please read note 10):		
4 th November 2022-10 th November 2022-09.00hrs-21.00hrs (same hours daily for 7 days)		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	499	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input type="checkbox"/>
	Off the premises only	<input checked="" type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to, lap dancing and pole dancing). (Please see note 13).
None

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	Peterborough City Council
Licence number Date of issue Any further relevant details	62007

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 17)	
I shall (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application (£21)	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	20th October 2022
Name of Person signing	Sivasankar Murugaiyan

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

Signature	On behalf of the licensing authority
Date	
Name of Officer signing	
Official Stamp	

Appendix 4b

Written Submission- Sagaa News,30 Deansgate, Blackpool FY1 1BN

1.1 The application relates to a Temporary Event Notice, a light touch process under the Licensing Act 2003 allowing a Licensable Activity to occur within parameters laid down in law. Para 7.2 of the Section 182 Guidance states.

The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the licensing authority of the event (a “temporary event notice” or “TEN”).

1.2 Prior to the submission of the application the Licensing Authority were consulted informally over the phone. Mr Petrak was appraised of some of the pending applications that may come before him, and these premises were raised.

1.3 Mr Petrak raised an immediate concern about an individual who possibly worked at the premises, and I was asked to find out the details of the staff member in the shop. I replied by text with the name and date of birth of the individual. A reply was received by text stating the details provided were a new name he had not heard of and was not the previous incumbent who was a safeguarding concern.

1.4 Following this confirmation an application was submitted.

1.5 The application was made with a firm eye on the details raised in the Cumulative Impact Assessment. The following paragraph was born in mind when considering hours of operation for the TEN

Further interrogation of the data referred to in Figures 2 & 3 indicates that the majority of alcohol related Police incidents in Talbot and Claremont occur during the night time economy. Figures 4 and 5 below show data relating to the number of Police incidents containing an alcohol qualifier reported in Talbot ward during the calendar year 2019. This data set is broken down into hourly intervals displayed in 24 hour clock terminology. The data shown at Figure 4 shows that in Talbot ward the worst affected period lies between 2100 hours to 0300 hours with 225 of 438 incidents taking place during these core hours. Identical data for Claremont ward is contained in Figure 5 showing that the worst affected period is between the hours of 2100 and 0400 with 361 of 604 incidents taking place between these hours.

1.6 It was noted that the major times of concern are between 21.00hrs to 03.00hrs. As such a terminal hour of 21.00hrs was chosen.

1.7 On Friday the 21st of October 2022 the Licensing Authority made contact to advise that the Police would be objecting and did we wish to withdraw. Further consideration was made to reduce any potential risk and the following suggestions were made via the Licensing Authority. The following information was relayed verbally to Lisa Ashton at 11.50hrs on the 21st of October 2022 on the telephone.

1. The terminal hour was to be reduced to 6 pm

2.No beer or cider above 5.5% ABV would be sold

3.No single cans of beer or cider would be sold

4. Proof of age training would be in place for any person selling alcohol during the event.

5. No more than 20% of the shop display area would be used for alcohol products

Written Submission- Sagaa News,30 Deansgate, Blackpool FY1 1BN

1.8 The Licensing Authority relayed the amendments but confirmed that the Objection still stood.

1.9 The Police or Environmental Health can request a modification to try and address the concerns they have, see Para 7.37 of the Guidance below.

As noted above, the police or EHA (as "relevant persons") may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified (for example, by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration). The other relevant person has to agree for the modification to be made. There is no scope under the 2003 Act for the modification of a late TEN.

1.10 The police objection goes into some detail about an application for a premises licence which was subsequently withdrawn after taking advice. The whole of this section of the Police Objection is not relevant to this TEN. They also add that nothing has changed, the modification in paragraph 1.7 demonstrates a substantial change of position and this is not a Premises Licence Application it is a TEN. Both are looked at from a completely different lens. The applicant was naive in making the application without first properly understanding the challenges and whilst he has significant experience as an operator it is in another area of the country. If a premises licence application was to be considered by the applicant, it would **only** be done at a point where he has sufficient information to demonstrate the Objectives would not be harmed. The only application under consideration at this moment is a TEN between the 4th and 10th of November 2022.

1.11 The TEN process is exempt from the Cumulative Impact Policy (rebuttable presumption to refuse does not apply), but the police can refer to the evidence of Cumulative Impact but the burden rests with them to demonstrate how this TEN will impact on the Objectives. They refer to an oversupply in the immediate locality but do not indicate how a modest provision operated under strict controls for 7 days will have a significant impact on the Licensing Objectives. The term significant impact is not proportionate. By its very nature, everything about this application is not significant.

Extract from LGA Handbook for Councillors

Recent changes under the Policing and Crime Act 2017 have now put cumulative impact on a statutory footing and the Section 182 guidance has been updated to include CIAs. Existing CIPs will need to be reviewed to ensure they comply with the principles in new legislation, primarily the need for evidence, rules around consultation and the need to review CIAs at least every three years. A CIA sits apart from the SLP but the statement should include a summary of the CIA.

The effect of having a CIA is that it no longer creates a presumption that applications for new (or variations to) licences that receive relevant representations will be refused unless the applicant can show that granting the application will not add to the cumulative impact of existing premises. A CIA does not change the fundamental way that licensing applications are made under the Licensing Act.

Sec 182 Guidance

14.26 *The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. As part of the publication a licensing authority must set out the evidential basis for its opinion.*

Written Submission- Sagaa News,30 Deansgate, Blackpool FY1 1BN

14.27 CIAs may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises, and the provision of late night refreshment. This includes late night refreshment providers which are not licensed to sell alcohol. A CIA may relate to all premises licences and club premises certificates in the area described in the assessment or parts thereof, or only to premises of a particular kind described in the assessment. For example, it may be appropriate for the licensing authority to only include off-licences or nightclubs within the scope of its assessment. The licensing authority must make clear, when publishing its CIA, which premises types it applies to. **CIAs do not apply to TENs; however it is open to the police and environmental health authority (as relevant persons) to refer to evidence published within a CIA when objecting to a TEN.**

14.28 While the evidence underpinning the publication of a CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the 2003 Act. Each decision in an area subject to a CIA therefore still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. Importantly, the publication of a CIA would not remove a licensing authority's discretion to grant applications for new licences or applications to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case.

1.12 With the extra steps proposed detailed in paragraph 1.7 and the time of year (closed season) it would seem to be difficult to reduce the risk further. The premises is a maximum of 15 metres in length by 5 meters wide, the plan below shows the internal layout. By way of securing the method of operation, the Applicant is agreeable to adopting the controls laid out as conditions. Extract from Blackpool Licensing Policy ;

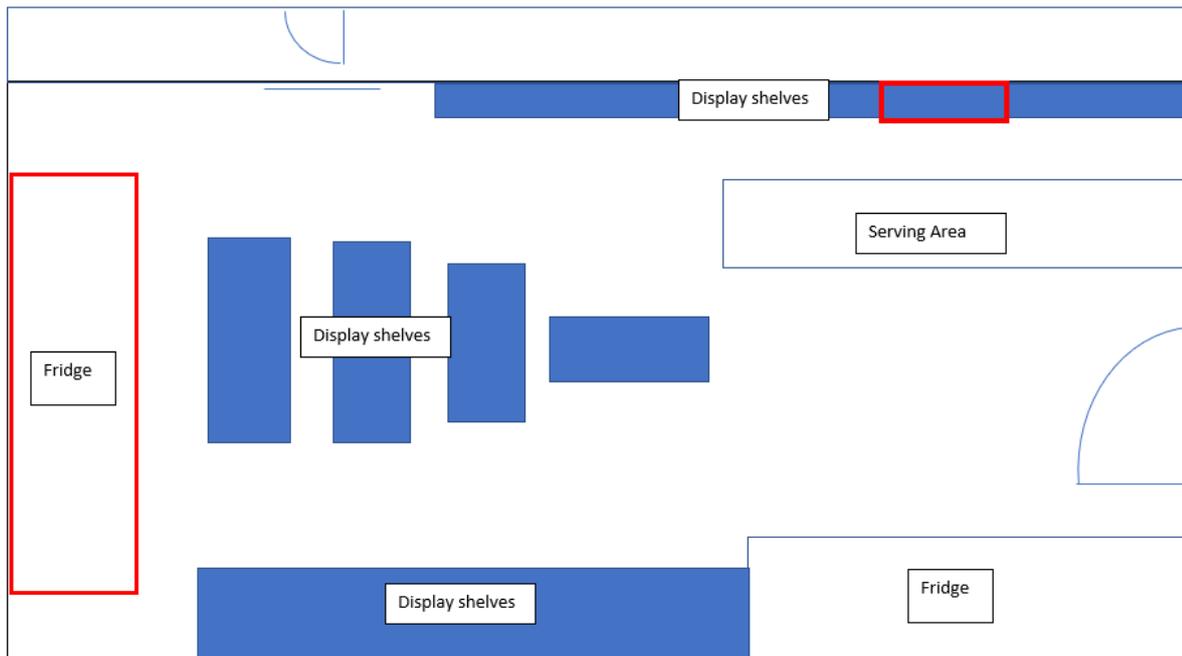
Display area – will alcohol be displayed in a fixed specified area, if so the area should be identified on a plan. It is however the authority's view that alcohol displays should not be located:

- At the entrance/exit points*
- In aisles which interfere with customer flow*
- At or near checkouts (unless the alcohol is only available from behind the counter)*
- In close proximity to products which are attractive to children, such as sweets and children's magazines*

Availability/Price – suggested measures to deter street drinkers might include:

- Not selling beers or ciders with over 7% abv*
- Not allowing self-service of these products*
- Restricting single can sales*
- Preventing sales on credit*

Written Submission- Sagaa News,30 Deansgate, Blackpool FY1 1BN



1.13 The areas highlighted with the redline are the proposed areas where alcohol will be displayed for the 7-day period. Higher-strength spirits will be placed behind the counter and average-strength beers, cider, and wines in the chiller at the rear of the premises.

Approach to Policy

2.1 Blackpool's Statement of Licensing policy encourages pre-application discussion. It has been noted through recent applications that the Authorities have adopted a strict approach to applications, reluctant to offer advice or guidance but instead preferring to highlight the evidence from the Cumulative Impact Assessment.

2.2 When dealing with matters that fall under Cumulative impact there are 3 occasions where the applicant may be able to overcome Policy Hurdles.

4.10.3 Examples of factors, which the Council may consider, demonstrate that there will be no impact may include:

- Premises ceasing operation before midnight
- Premises which are not alcohol led and only operate during the day-time
- Situations where the applicant is relocating their business within the cumulative impact area but is retaining the same style of business, operating hours and conditions

2.3 With the amendments made the applicant will clearly fall under the 2nd bullet point

2.4 The current position being adopted by the Authorities is one of a "locked door" which cannot be opened by any key. The reality of any policy is that it can never be an absolute prohibition and whilst it is acceptable not to give advice on how the key can be made to open the door an Applicant should be entitled to offer measures or adopt a style of operation that will not adversely affect the Licensing Objectives

2.5 The Licensing Policy also refers to the Council Plan

Written Submission- Sagaa News,30 Deansgate, Blackpool FY1 1BN

The Council Plan 2019 – 2024 has two priorities ‘maximising growth and opportunity across Blackpool’ and ‘creating stronger communities & increasing resilience’.

- 2.6 The current approach being adopted could prevent new business which has an element of alcohol involved from even being considered. New investments, no matter how modest is a rarity in the current economic climate. Does the retail offer under Bickerstaffe House fit the vision that was in place in 2014 when it was built? We would suggest not but the offer increases the overall vibrancy and occupies retail space at a time when retailers are turning their backs on town centres.
- 2.7 Across the road from the premises is an empty retail space which looks worse for wear with boarded-up windows and would no doubt be a deterrent for investment in the area. This applicant has invested £40,000 in the premises, this is an occasion where the Council could maximise growth and opportunity. Small units being occupied and presented in a smart fashion can only be a positive for the town.
- 2.8 With the bar for applications being set so high no conditions or times of operation would be suitable, perhaps the Authorities are hoping to see a eutopia that does not exist, it certainly feels like the iron curtain is being brought down around the town centre a phrase used in the case of Brewdog Bars Ltd v Leeds City Council.
- 2.9 The approach also brings bigger concerns; Blackpool clearly does have issues with outlet density and the negative effects that flow from alcohol and a Cumulative Impact Policy is more than justifiable. However repeated interventions from the Authorities that can't be properly evidenced will undermine the credibility of that policy especially if challenges are made that subsequently overturn the Council Decision. Looking back to the summer of 2018 B& M Super Store on Church Street obtained a premises licence without a police objection. They clearly are not alcohol-led and trade in the day they also offered a condition that no more than 10% of the display area would be used for alcohol. These premises are many times bigger than the applicants.
- 2.10 This demonstrates the substantial change in approach over the last few years and it feels like the pendulum has swung too far in the opposite direction. The consequence of the change in approach is already beginning to reveal itself with Off Licences in Saturation areas exchanging hands for inflated values due to the perception that it is impossible to obtain a licence no matter how modest the operation is.

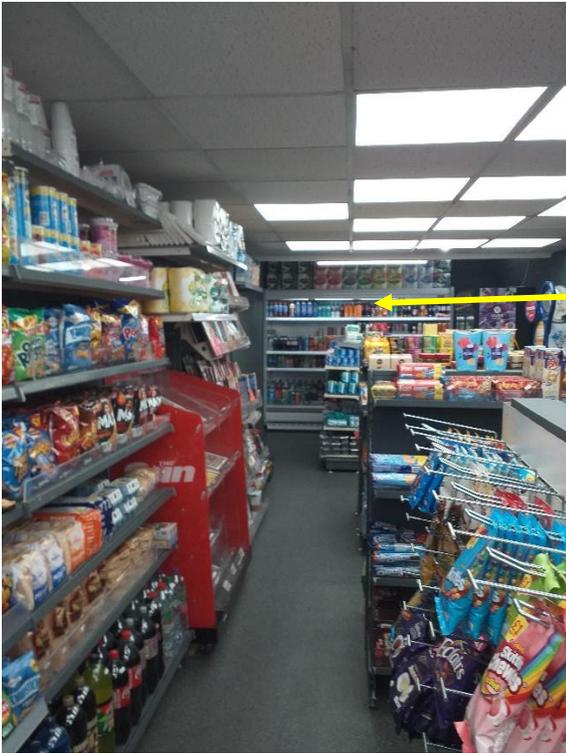
Conclusion

- 3.1 The application on the table is that of a Temporary Event Notice, modifications contained herewith in paragraph 1.7 will be readily accepted as an approved method of operation. This reduces the risk to a low level.
- 3.2 The time of year is also an important factor; it is the first week in November one of the quieter times of the year for retailers in Blackpool and with the extremely small footprint the shop occupies the risk is reduced even further
- 3.3 The applicant is an experienced man working as a manager in the alcohol retail sector since 2007. In April 2021 he acquired 2 petrol stations both with Licences to sell alcohol. He also has another Off Licence in Peterborough.

Written Submission- Sagaa News,30 Deansgate, Blackpool FY1 1BN

3.4 It is our view that a postage stamp size premises which this is offering the type of controls which go with the grain of the Policy will have little if any impact on the Licensing Objectives

Some internal photos of the layout will follow.



Proposed Chiller for beers and wines



Written Submission- Sagaa News,30 Deansgate, Blackpool FY1 1BN



Google Maps Ariel view to indicate the location of the premises

Mark Marshall

Mark Marshall (FCILEX)

Date: 26th October 2022

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Blackpool Council Licensing Service				
Objection made by Lancashire Constabulary to a Temporary Event Notice				
Responsible Authority		Lancashire Constabulary		
Name of Officer <i>(please print)</i>	PS 3390 Nat Cox			
Signature of Officer				
Contact telephone number	01253 604074			
Date representation made	20	10	22	
Do you consider mediation to be appropriate			Yes	<input type="checkbox"/>
Premises Details				
Premises Name	Sagaa News			
Address	30 Deansgate			
	Blackpool			
Post Code	FY1 1BN			
Reasons for objecting				
<p>I am in receipt of a Temporary Event Notice at the above premises in relation to them wishing to sell alcohol off the premises from 4th November 2022 to 10th November 2022.</p> <p>The Police are concerned that this will significantly impact on the licensing objectives in relation to the prevention of crime and disorder, the protection of children from harm, public safety and the prevention of public nuisance.</p> <p>The Police recently objected to a premises licence application in relation to the same address which was subsequently withdrawn. The objection from PC Pritchard of the Police licensing team was as follows:</p> <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</p>				

licence.

This premises falls in an extremely high-risk area which already suffers high levels of crime, disorder and anti-social behaviour. The Police would expect that an application of this nature would offer an extremely robust operating schedule in an attempt to demonstrate that the applicant is aware of their surroundings and risk, however the applicant has merely stated:

“Breaches of licensing conditions, authorized activities or authorized hours, A criminal offence (which should be reported to the police first), Anti-social behaviour”

Even more concerning under the protection of children from harm the applicant has stated they would ***“Report the incident to the relevant authorities in the first instance, for example the sale of age restricted products”*** as opposed to preventing the sale in the first place!

The Police are also concerned that the applicant wishes to commence the sale of alcohol at 6am which could encourage already drunk patrons from nearby Clubs/ Pubs to continue drinking after they have closed.

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. For instance there have recently been reports of groups of youths drinking alcohol outside the Town Hall steps on Friday & Saturday nights; some of this group will be over 18 and it is unknown where the alcohol has been obtained from but it is logical that more availability would create more problems.

This premises falls within Talbot Ward close to the border with Claremont Ward. 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.

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.

The Police are of the opinion that this premises would add to the cumulative impact already being experienced in the area and it seems apparent that the applicant has done nothing so far to persuade the Licensing Committee to depart from their policy.

The Police feel that nothing has changed since this initial premises licence was requested and ultimately withdrawn on Police objection.

The area is still within the cumulative impact zone and still suffers from some of the highest alcohol related ASB, incidents, crimes and health-related issues in Blackpool. If anything, this application is event more concerning than the premises licence application in that it would effectively allow the applicant to sell alcohol for 12 hours a day, 7 days a week with absolutely no restrictions in place.

In summary the Police feel that if this TEN was granted there would be a detrimental effect on the licensing objectives as stated above, therefore the Police object to this application.

The Police recommend to the Panel that a Counter Notice be served by the Licensing Authority unless the following restrictions or requirements can be imposed by condition.

N/A

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