

Blackpool Council

17 February 2023

To: Councillors Baker (Reserve), Hunter, O'Hara, D Scott,

The above members are requested to attend the:

LICENSING PANEL

Friday, 24 February 2023 at 10.00 am
in Committee Room B, 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 - KANEE CONVENIENCE STORE, 58 DICKSON ROAD, BLACKPOOL, FY1 2AJ (Pages 1 - 12)

To consider the application and objection of a Temporary Event Notice (TEN) for Kanee Convenience Store, 58 Dickson Road, Blackpool, FY1 2AJ. Whether to allow the event to go ahead, add conditions to the TEN or issue a Counter Notice.

- A. Application and representations submitted. To consider the attached report.
- B. Determination of the application for a Temporary Event Notice (TEN).

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 Tyrone Wassell, Democratic Governance Senior Advisor, Tel: 01253 477122, e-mail tyrone.wassell@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 :	24 February 2023

TEMPORARY EVENT NOTICE – Kanee Convenience Store, 58 Dickson Road, Blackpool, FY1 2AJ

1.0 Purpose of the report:

- 1.1 To consider a Temporary Event Notice (TEN) for Kanee Convenience Store, 58 Dickson Road, Blackpool, FY1 2AJ.

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 16 February 2023 the Licensing Service was served with a Temporary Event Notice by Mr Mark Marshall on behalf of Mr Selvarajah Perashath for Kanee Convenience Store, 58 Dickson Road, Blackpool, FY1 2AJ. The notice relates to the sale by retail of alcohol “off the premises” for 3rd to 9th March 2023 - 23.00 to 00.00 hours daily, therefore requesting one extra hours trading every day. A copy of the application is attached at Appendix 4(a).
- 6.2 Lancashire Constabulary has objected to the event taking place on the grounds that it will undermine the licensing objective, relating to crime and disorder. The premises sits within one of the highest areas of crime and disorder and Anti-Social Behaviour within Blackpool. Street drinking in the area is also a massive issue, with a Public Space Protection Order, numerous Community Protection Warnings and arrests all failing to deter those who regularly drink and cause Anti-Social Behaviour on the surrounding streets.

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

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:

4.1.5 For an applicant to assess what steps are appropriate for the promotion of the licensing objectives, they must first understand the area in which they intend to operate. By way of example the controls required in an area suffering from a high level of deprivation, alcohol dependency and street drinking may be completely different to those required in other areas. Applicants are expected to make their own enquiries and demonstrate how they have considered the following in the operating schedule:

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young persons may congregate;
- Any risk posed to the local area by the proposed licensable activities; and
- Any local initiatives (for example local crime reduction initiatives or voluntary

schemes which may help mitigate potential risks

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 October 2022 the applicant applied for a Variation to the Premise Licence at the same address. The application proposed amended hours of 08.00 – 00.00 daily, which would if, granted amount to an additional nine and a half hours a week for potential alcohol sales , following objections from the police, a hearing was held in December 2022 and the decision was made to refuse the application.

7.0 List of Appendices:

7.1 Appendix 4(a) - Application for a TEN – Kanee Convenience Store
Appendix 4(b) - Police objection to TEN – Kanee Convenience Store

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.

Blackpool Council

Application for a Temporary Event Notice

Applicant's Name:	Selvarajah Perashath
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Contact

Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

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 to 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 ☒ Mrs ☐ Miss ☐ Ms ☐ Other (please state)

Surname Perashath

Forenames Selvarajah

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 ☐ Mrs ☐ Miss ☐ Ms ☐ Other (please state)

Surname

Forenames

3. Your date of birth

Da

Month

Year

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 Blackpool

Post code

7. Other contact details

Telephone numbers

Daytime

Evening (optional)

Mobile tional

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

LS/F/007/1/8

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)	
Kanee Convenience Store	
58 Dickson Road	
Blackpool	
FY1 2AJ	
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	PL0072
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, alcohol, and cigarettes. The premises is approximately 5m x5m with a fixed sales point located across the West wall. The premises are accessible via one means of entry and exit which is situated at the North East corner of the premises	
Please describe the nature of the event below. (Please read note 5)	
1 extra hour of trading from 23.00hrs to 00.00hrs to obtain extra business	

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):		
3 rd March 2023-9 th March 2023		
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):		
3 rd March 2023 -23.00hrs-00.00hrs 4 th March 2023-23.30hrs-00.00hrs 5 th March 2023-22.30hrs-00.00hrs (Sunday) 6 th March 2023-23.00hrs-00.00hrs 7 th March 2023-23.00hrs-00.00hrs 8 th March 2023-23.00hrs-00.00hrs 9 th March 2023-23.00hrs-00.00hrs		
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	Blackpool Council		
Licence number	PA5823		
Date of issue	Date of issue 27/07/2022		
Any further relevant details			

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	<input type="checkbox"/>

co of this notice to each additional licensin authori	
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of olice	<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 authori exercisin 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 authori of the remises 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 16th February 2023

Name of Person signing Selvarajah Perashath

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

Signature *J Brooks-Brennan*

On behalf of the licensin authori

Date 17/02/2023

Name of Officer si in Judith Brooks-Brennan


Official Stamp Licensing Officer
Blackpool Council

17/02/2023

Blackpool Council Licensing Service

**Objection made by Lancashire Constabulary
to a Temporary Event Notice**

APPENDIX 4B

Responsible Authority		Lancashire Constabulary			
Name of Officer (please print)	Sgt 3390 Nat Cox				
Signature of Officer					
Contact telephone number	01253 604074				
Date representation made	17	02	2023		
Do you consider mediation to be appropriate			NO		
Premises Details					
Premises Name	Kanee Convenience Store				
Address	58 Dickson Road				
	Blackpool				
Post Code	FY1 2AJ				
Reasons for objecting					
<p>I am in receipt of a Temporary Event Notice at the above premises for off sales of alcohol between the hours of 2300 and 0000 each night.</p> <p>On behalf of the Police, I wish to object against this TEN, as I believe if granted it will undermine the licensing objectives.</p> <p>The premises sits within one of the highest areas of crime and disorder and ASB within Blackpool. Street drinking in the area is also a massive issue, with a Public Space Protection Order, numerous Community Protection Warnings and arrests all failing to deter those who regularly drink and cause ASB on the surrounding streets.</p> <p>Between 1st November 2021 and 31st October 2022, there were 3573 alcohol related crimes recorded in Blackpool. Of these, 68% were violence against the person offences. The peak ward for all alcohol related crimes in Blackpool is Claremont ward, with 852 offences recorded during the same period. This equates to just under a quarter of all recorded incidents.</p> <p>The peak time for alcohol related crimes within the Claremont ward is weekends, between midnight and 0400.</p> <p>During the period 1st February 2022 to 31st January 2023, there were 377 offences recorded on Dickson Road and off these 118 were alcohol related.</p>					

While there is nothing specific to suggest that these offences are the fault of the licence holder, it is an unfortunate fact that his premises is situated in one of the worst areas in Blackpool for crime, disorder, ASB. Street drinking and violence.

There is an increased risk that those who are refused entry or ejected from any of the nearby on-licences may seek to buy alcohol from this premises and may therefore contribute to the already considerable issues in the area.

As mentioned above, with the peak times for alcohol related crime being from midnight onwards, allowing the premises an extra hour of trading would see them still serving alcohol right up to the start of the worst period for offences. It is fair to assume then that this extra availability of alcohol at this time would increase the risk of crime and disorder and therefore fail to promote the licensing objectives.

Therefore, due to the increased risk of crime and disorder Lancashire Constabulary wishes to object to the Temporary Event Notice.

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.
