

# Blackpool Council

23 May 2023

To: Panel to be confirmed

The above members are requested to attend the:

## **LICENSING PANEL**

Thursday, 1 June 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 APPLICATION FOR A VARIATION TO A PREMISES LICENCE - TESCO EXPRESS, 96-98 WHITEGATE DRIVE** (Pages 1 - 28)

To consider an application for the variation of a Premises Licence for Tesco Express, 96-98 Whitegate Drive.

- A. Application and representations submitted. To consider the attached report.
- B. Determination of the application for the variation of a Premises Licence – Tesco Express

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](mailto: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](http://www.blackpool.gov.uk).

<b>Report to:</b>	<b>LICENSING PANEL</b>
<b>Relevant Officer:</b>	Lisa Ashton, Licensing Officer
<b>Date of Meeting:</b>	1 June 2023

## **APPLICATION FOR A VARIATION TO A PREMISES LICENCE – Tesco Express, 96-98 Whitegate Drive, Blackpool, FY3 9BZ**

### **1.0 Purpose of the report:**

- 1.1 To consider an application for a Variation to the Licence for Tesco Express, 96-98 Whitegate Drive, Blackpool, FY3 9BZ

### **2.0 Recommendation(s):**

- 2.1 The Panel is requested to consider the application and determine whether the granting of this variation to the licence would adversely impact on the Licensing Objectives.

### **3.0 Reasons for recommendation(s):**

- 3.1 Representations have been received therefore there must be a hearing to determine the application.

- 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 an application is submitted and representations 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 5<sup>th</sup> April 2023 the Licensing Service received a Variation application from Tesco Stores Limited for a Variation to the Premises Licence at Tesco Express, 96-98 Whitegate Drive, Blackpool, FY3 9BZ. The licence currently allows off sale of alcohol, weekdays (other than Christmas Day) 08.00 – 23.00, Sundays (other than Christmas Day) 10.00 – 22.30, Christmas Day 12.00 – 15.00 and 19.00 – 22.30, Good Friday 08.00 – 23.00.
- 6.2 The application requests permission to sell alcohol for consumption off the premises Monday to Sunday 06.00 – 00.00, the provision of late night refreshment Monday to Sunday 23.00 – 00.00, to remove the embedded/seasonal restrictions for Good Friday and Christmas Day carried over from the old Licensing Act and to update the layout plan attached to the premise licence. The applicant has also volunteered a number of conditions on the application form which will be attached to the Premises Licence if granted, a copy of the application is attached at Appendix 4(a).
- 6.3 A Representation has been received from Lee Petrak – Licensing Manager. A copy of the representation is attached at Appendix 4(b).
- 6.4 Local policy considerations:

The premises falls within the area covered by the Off Licence Cumulative Impact Assessment (CIA). The following sections of the policy are relevant:

4.9.1 The location of the main concentration of off-licensed premises suffers from high levels of alcohol related crime and alcohol related hospital admissions. Applications for new licences, or variation of hours within this area will be refused unless the applicant can demonstrate that their application will not lead to an increase in the impact of off licensed premises in this area.

4.10.1 Applications for new licences or variations to existing licences within a cumulative impact area, which are likely to add to the existing cumulative impact, will normally be refused if a relevant representation is received. To persuade the Council to depart from its policy an applicant must demonstrate that their application will not add to the existing cumulative impact in the area. This should be done through the operating schedule and the risk assessment process (if used).

4.10.4 Examples of factors the licensing authority will not consider to rebut the presumption of refusal:

- The premises will be well managed and run as all licensed premises should meet this standard
- The premises will be constructed to a high standard
- The applicant operates similar premises elsewhere without complaint.

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 CIA in the light of the individual circumstances of the case.

6.5 National policy considerations:

9.12 – Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

9.43 – The authority's decision should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

14.44 – After receiving relevant representations in relation to a new application for a licence or certificate, the licensing authority must consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

6.6 Does the information submitted include any exempt information? No

**7.0 List of Appendices:**

7.1 Appendix 4(a) Application form for a Variation to a Premises Licence  
Appendix 4(b) Objection from Lee Petrak.

**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.

# Appendix 4a

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Tesco Stores Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number  
PL1346

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Tesco Express (2199)

96-98 Whitegate Drive,  
Blackpool,  
Lancashire,  
FY3 9BZ

Post town Blackpool

Postcode FY3 9BZ

Telephone number at premises (if any) 01707 940740

£ 46,500.00

Non-domestic rateable value of premises

<https://www.tax.service.gov.uk/business-rates-find/valuations/start/9333274000>

### Part 2 – Applicant details

Daytime contact  
telephone number

E-mail address (optional)

Current postal address if  
different from premises  
address

Tesco House  
Shire Park  
Kestrel Way

Post town Welwyn Garden City

Postcode AL7 1GA

### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? ☒ Yes

☐  
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late-night levy? (Please see guidance note 1) ☐ Yes ☒ No

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

This variation proposes to update the premises licence to reflect the current operation of the store, including:

- The sale by retail of alcohol for consumption off the premises on the following days:  
Monday-Sunday, 06:00-00:00.
- The provision of late-night refreshment (indoors) on the following days: Monday-Sunday, 23:00-00:00.
- Update the layout plan in Annex 4 attached to the premises licence to reflect the latest layout.
- Remove the embedded / seasonal restrictions for Good Friday and Christmas Day carried over from the old Licensing Act.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/a



#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3)** **Please tick all that apply**

- |   |                          |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

**Provision of late-night refreshment** (if ticking yes, fill in box I) ☒

**Supply of alcohol** (if ticking yes, fill in box J) ☒

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Nonstandard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Nonstandard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please <u>give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any <u>seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			
Fri			Nonstandard timings. Where you intend to use the premises for <u>indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Nonstandard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur					
Fri			Nonstandard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>Nonstandard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Nonstandard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)	
Wed				
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)	
Fri				
Sat			<b><u>Nonstandard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)	
Sun				

I

<b>Late-night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late-night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon	23:00	00:00			
Tue	23:00	00:00			
Wed	23:00	00:00			
			<b><u>State any seasonal variations for the provision of late-night refreshment</u></b> (please read guidance note 6)		
Thur	23:00	00:00			
Fri	23:00	00:00			
			<b><u>Nonstandard timings. Where you intend to use the premises for the provision of late-night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	23:00	00:00			
Sun	23:00	00:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)		On the premises	<input type="checkbox"/>
					Off the premises	<input checked="" type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)			
Mon	06:00	00:00				
Tue	06:00	00:00				
Wed	06:00	00:00				
Thur	06:00	00:00				
Fri	06:00	00:00				
Sat	06:00	00:00				
Sun	06:00	00:00				

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).**

N/a

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	06:00	00:00	
Tue	06:00	00:00	
Wed	06:00	00:00	
Thur	06:00	00:00	
Fri	06:00	00:00	<b>Nonstandard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Sat	06:00	00:00	
Sun	06:00	00:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The embedded mandatory conditions which we are proposing to remove:

*"Alcohol shall not be sold or supplied except during permitted hours.*

*In this condition, permitted hours means:*

- a) On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.*
- b) On Sundays, other than on Christmas Day, 10 a.m. to 10.30 p.m.*
- c) On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.*
- d) On Good Friday, 8 a.m. to 10.30 p.m."*

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

N/a

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d, and e) (please read guidance note 11)**

Tesco is a large national operator with a range of head office and local support. The company has devised policies, procedures, systems, and training to ensure that they sell alcohol in a responsible manner.

There is a detailed programme which ensures that comprehensive training is provided to employees having regard to their role and the responsibilities and such training is regularly reviewed, and records kept.

**b) The prevention of crime and disorder**

We will have a digital CCTV system that covers the premises, including the main area which will be used for display of alcohol. Images will be retained for 31 days.

A member of the management team will be on the premises all the time the store is open. This colleague will have responsibility for the premises and will be the initial point of contact for any issues that may arise.

**c) Public safety**

The premises licence holder is fully aware of its responsibilities under a range of health and safety related legislation and has policies and procedures in place to be confident of complying with the relevant obligations which arise.

**d) The prevention of public nuisance**

The company has a “good neighbour” ethos which seeks to ensure that the premises plays an active part in the local community.

**e) The protection of children from harm**

The premises will operate a Think 25 policy. The checkouts will be programmed to prompt the customer assistant when an alcohol product is scanned at the checkout to follow the Think 25 policy.

All colleagues will receive training in relation to the underlying law and Tesco policy, systems, and procedures. This training will be documented, and refresher training will be provided on a regular basis.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late-night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures (please read guidance note 12)**

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	05/04/2023
Capacity	Ms. Hardish Purewal - UK Licensing Manager (Duly Authorised Agent)

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	
<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>	
Tesco Licensing Team, Pear Building, 2 <sup>nd</sup> Floor Kestrel Way, Shire Park	
Post town	Welwyn Garden City, Hertfordshire
Post code	AL7 1GA
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

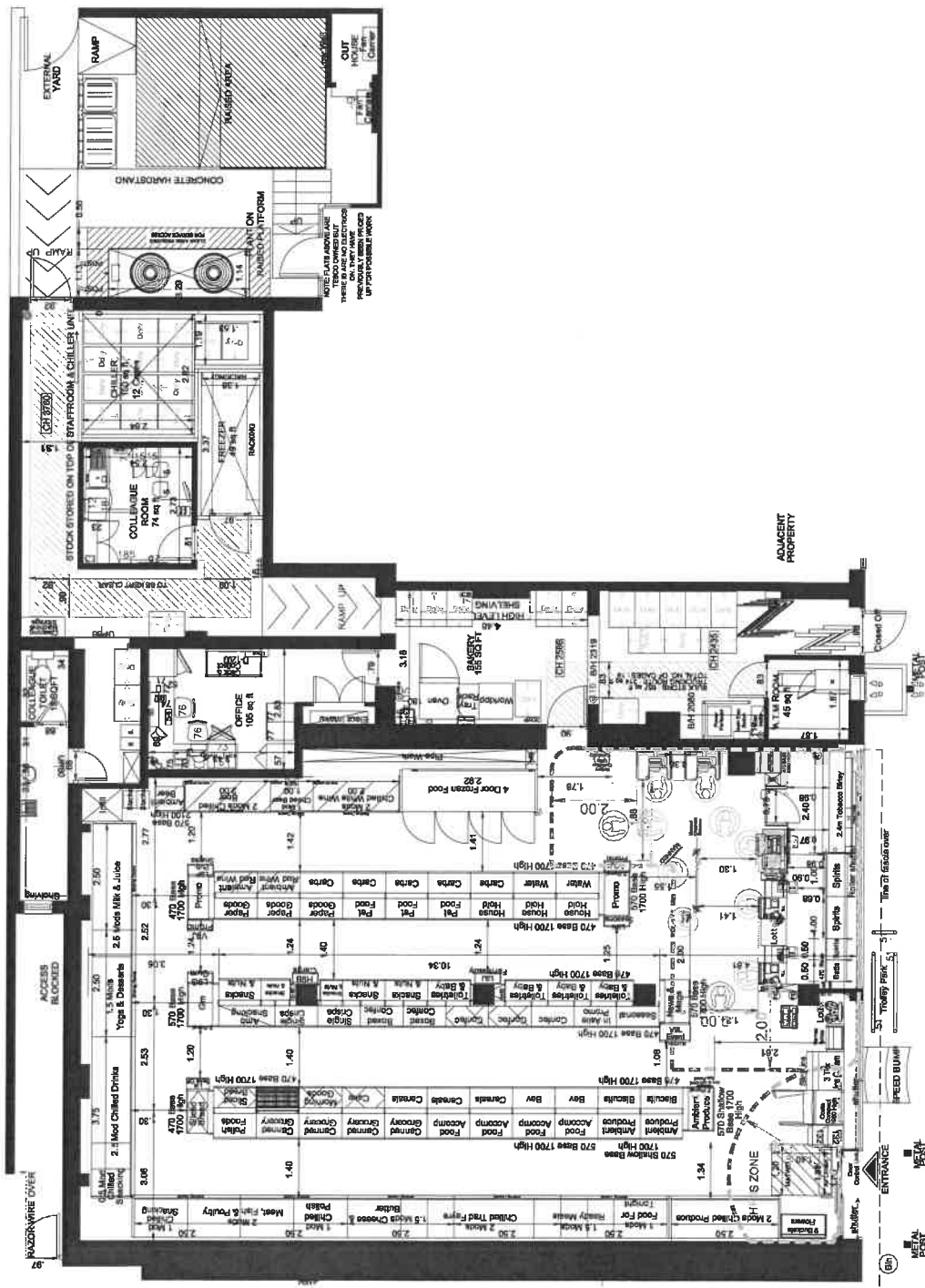
## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late-night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community



- premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example, state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24-hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises. If you wish people to be able to do both, please tick 'both'.
  10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.
  13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
  15. This is the address which we shall use to correspond with you about this application.



RETAIL PLAN DETAILS	
GROSS BUILDING	4,195
NET SALES	2,105
RETAIL SALES	1,805
BACKBAR/OFFICES/AMCILL	2,060

**TESCO express**  
 RETAIL PLANNING & DESIGN IMPLEMENTATION  
 TESCO STORES LIMITED  
 EXPRESS GROUP  
 HIGHWOODS BUILDING, WELSH GARDEN CITY, HERTFORDSHIRE, AL7 1GA  
 TEL: 01707 285150  
 FAX: 01707 285151  
 E: TESCO@TESCO.COM  
 W: WWW.TESCO.COM  
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PROJECT 2199 BLACKPOOL WHITEGATES EXP	PHASE 3	ISSUE 1#
DESCRIPTION PROPOSED RETAIL LAYOUT	SYSTEM ID. No. 2199gag1#	DATE 28.12.2022
DISCLAIMER: THIS PLAN IS A PRELIMINARY DESIGN ONLY. SCALE DRAWING ONLY. WHEN A SCALE BAR IS PRESENT AND NOT FROM THE STORE PLANNER. ANY DIMENSIONS ARE TO BE REPRODUCED TO THE STORE PLANNER. THIS PLAN IS A PRELIMINARY DESIGN ONLY. SCALE DRAWING ONLY. WHEN A SCALE BAR IS PRESENT AND NOT FROM THE STORE PLANNER. ANY DIMENSIONS ARE TO BE REPRODUCED TO THE STORE PLANNER.	UK PLANNING MANAGER	MEGHA DIWAN

DATE 28.12.2022	SAID	SAID
DATE 28.12.2022	SAID	SAID
DATE 28.12.2022	SAID	SAID

REV	AMENDMENTS	DATE	REV	AMENDMENTS	DATE



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# Appendix 4b

Blackpool Council Licensing Service				
Representation made by a Responsible Authority				
<b>Responsible Authority</b>				
Name of Responsible Authority	Licensing Authority			
Name of Officer (please print)	Lee Petrak			
Signature of Officer				
Contact telephone number	01253-477861			
Date representation made	18	04	2023	
Do you consider mediation to be appropriate			<input type="checkbox"/>	NO
<b>Premises Details</b>				
Premises Name	Tesco Express			
Address	96-98 Whitegate Drive			
	Blackpool			
Post Code	FY3 9BZ			
<b>Details of your representation (Please refer and attach any supporting documentation)</b>				
<p>I am the above named person and I make these representations on behalf of the Licensing Authority in my capacity as Trading Standards and Licensing Manager. I am in receipt of a copy of the application to vary the premises Licence in respect of the premises referred to above.</p> <p>The application is to vary the existing licence hours when the supply of alcohol may take place for consumption off the premises. At present the licence hours are 0800–2300 Monday to Saturday and 10.00-22.30 on Sundays. It is being proposed through the application that the hours off sales may take place be increased to 06.00-23.00 Monday to Sunday. It is also proposed that late night refreshments be permitted between 23.00-00.00 Monday to Sunday to bring this provision in line with the later opening hours. A new plan is also part of the application as is the request to remove seasonal restrictions.</p> <p>The location of the premises and the proposed changes to operating hours require the application be determined with consideration of the Council's current statement of licensing policy and cumulative impact assessment.</p> <p>It is perhaps noteworthy that a similar such application was determined by the committee approximately 12 months ago in connection with a similar store in close proximity of the applicants store. On that occasion, with a substantial submission by the applicant and with prior consultation with the Licensing Authority and Police Licensing Team, the applicant in that case successfully varied their licensable hours from 08.00-23.00 Monday - Sunday to 07.00-00.00 Monday – Sunday. No such</p>				

consultation has taken place in connection with this application.

*Policy Considerations*

Section 4.9 of the Council Statement of Licensing Policy details the application of the Council Cumulative Impact Assessment in respect of off licence premises. Appendix C to the Statement of Licensing Policy and Appendix 2 to the Cumulative Impact Assessment show the area where it is evident cumulative impact exists. The premises the subject of this application are within the area of cumulative impact.

To conclude, the location of the proposed new premises licence automatically invokes consideration of the Council's CIA document and Statement of Licensing Policy. This in turn creates a rebuttable presumption that the application should be refused unless it can be established to the satisfaction of the Authority that the granting of this Licence will not add to the cumulative impact already being experienced in this area.

**For New / Variation Applications only.**

**It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.**