

# Public Document Pack

# Blackpool Council

5 September 2023

To: Councillors Baker, Hoyle, Hunter, S Brookes (Reserve)

The above members are requested to attend the:

## **LICENSING PANEL**

Tuesday, 12 September 2023 at 11.00 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 PREMISES LICENCE - 8 NEWTON DRIVE FY3 8BS** (Pages 1 - 40)

To consider a new application for a Premises Licence for 8 Newton Drive, FY3 8BS.

- A. Application and representations submitted. To consider the attached report.
- B. Determination of the new Premises application

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 477153, e-mail [tyrone.wassell@blackpool.gov.uk](mailto: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](http://www.blackpool.gov.uk).

<b>Report to:</b>	<b>LICENSING PANEL</b>
<b>Relevant Officer:</b>	Lisa Ribchester, Licensing Officer
<b>Date of Meeting:</b>	Tuesday 12 September 2023

## **APPLICATION FOR A PREMISES LICENCE – 8 Newton Drive, Blackpool, FY3 8BS**

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

1.1 To consider an application for a new Premises Licence for 8 Newton Drive, Blackpool, FY3 8BS

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

2.1 To consider the application and determine whether the granting of this 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 19 July 2023 the Licensing Service received an application from Rodger Wightman of The Licensing Practice on behalf of Mohammed Anwar for a new Premises Licence at 8 Newton Drive, Blackpool, FY3 8BS.

The premises has never been licensed before.

6.2 The application requests permission to sell alcohol for consumption off the premises 07.00 to 23.00 Monday to Sunday with opening hours also from 07:00 to 23:00 Monday to Sunday. The applicant has 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 Representations have been received from Mark Marshall of M Squared on behalf of Mr Subaramaniam Gopinath who is the Premise Licence Holder at Wine Lodge, 3 Whitegate Drive, Blackpool, FY3 9AE. A copy of the representation is attached at Appendix 4b.

6.4 Local policy considerations:

4.1.7 - If relevant representations are made the Council will only grant the hours of use proposed where the operating schedule and any risk assessments adequately demonstrate that:

- The applicant has properly considered what is appropriate for the local area when considering what hours and activities to apply for
- The potential effect on the licensing objectives is not significant
- The operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on local residents and businesses

4.4.2 - The Council wishes to develop a diverse night-time economy but acknowledges that any licensable activity has the potential to impact adversely on the surrounding area either by disturbance caused by crime and disorder or by nuisance caused by customers being noisy when leaving/using on-street car parking. The impact of these activities can be greater at night when ambient noise levels are much lower.

6.5 National policy considerations:

2.15 - The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

8.44 - It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

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.

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 new Premises Licence  
Appendix 4(b) Public Objection from M Squared on behalf of Mr Subaramaniam Gopinath, Premise Licence Holder at Wine Lodge, 3 Whitegate Drive, Blackpool, FY3 9AE

**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 and the impact of this decision for our children and young people:**

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.

## Application for a premises licence to be granted 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 **Mohammed Anwar**

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description			
<b>8 Newton Drive</b>			
Post town	<b>Blackpool</b>	Postcode	<b>FY3 8BS</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£2500</b>

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
	i as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
	ii as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)

c)	a recognised club	please complete section (B)
d)	a charity	please complete section (B)
e)	the proprietor of an educational establishment	please complete section (B)
f)	a health service body	please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	please complete section (B)
h)	the chief officer of police of a police force in England and Wales	please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) individual applicants (fill in as applicable)**

Mr <input checked="" type="checkbox"/>	Mrs	Miss	Ms	Other Title (for example, Rev)
<b>Surname Anwar</b>		<b>First names Mohammed</b>		
<b>Date of birth</b>	I am 18 years old or over		Please tick yes <input checked="" type="checkbox"/>	
<b>Nationality</b>	<b>British</b>			
Current residential address if different from premises address	[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]	
Daytime contact telephone number	[REDACTED]			
E-mail address (optional)				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)				



**Second individual applicant (if applicable)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(B) Other applicants**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	0	0 8 2 0 2 3

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The shop forms part of a block of 3 premises close to the junction with Newton Drive and Devonshire Road, comprising a vacant ground floor retail shop, which it is proposed to open as a convenience store with alcohol sales.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	
e) live music (if ticking yes, fill in box E)	

f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<b>Provision of late night refreshment</b> (if ticking yes, fill in box I)	
<b>Supply of alcohol</b> (if ticking yes, fill in box J)	✓

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

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors
Day	Start	Finish		Outdoors
				Both
Mon			<b>Please give further details here</b> (please read guidance note 4)	
Tue				
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)	
Thur				
Fri			<b>Non standard 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</b> (please read guidance note 6)	
Sat				
Sun				

**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b>Please give further details here</b> (please read guidance note 4)	
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard 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</b> (please read guidance note 6)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Tue			
Wed			
Thur			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----			
Thur	-----	-----			
Fri	-----	-----			
Sat	-----	-----			
			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
			<b>Non standard 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</b> (please read guidance note 6)		
Sun	-----	-----			

**E**

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
Mon				<b>Please give further details here</b> (please read guidance note 4)	Both
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard 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</b> (please read guidance note 6)		
Sat					
Sun					



**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the <u>playing of recorded music</u> take <u>place indoors or outdoors or both</u> – <u>please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
				Both	
Mon	-----	-----	<b>Please give further details here</b> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----			
Thur	-----	-----	<b>State any seasonal variations for the <u>playing of recorded music</u></b> (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----	<b>Non standard timings. Where you intend to use the <u>premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
<b>Day</b>	<b>Start</b>	<b>Finish</b>		Outdoors	
				Both	
<b>Mon</b>			<b>Please give further details here</b> (please read guidance note 4)		
<b>Tue</b>					
<b>Wed</b>					
<b>Thur</b>			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
<b>Fri</b>					
<b>Sat</b>					
<b>Sun</b>			<b>Non standard 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</b> (please read guidance note 6)		

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>Non standard 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</b> (please read guidance note 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon	-----	-----	<b>Please give further details here</b> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<b>Non standard 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</b> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	✓
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	07.00	23.00			
Tue	07.00	23.00			
Wed	07.00	23.00			
Thur	07.00	23.00			
Fri	07.00	23.00			
Sat	07.00	23.00			
Sun	07.00	23.00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

<b>Name</b>	[REDACTED]	
<b>Date of birth</b>	[REDACTED]	
<b>Address</b>	[REDACTED]	
<b>Postcode</b>	[REDACTED]	
<b>Personal licence number (if known)</b>	1466/1	
<b>Issuing licensing authority (if known)</b>	New Forest District Council	

**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 9).**

**None**

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	07.00	23.00	<p><b>Non standard 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 6)</p>
Tue	07.00	23.00	
Wed	07.00	23.00	
Thur	07.00	23.00	
Fri	07.00	23.00	
Sat	07.00	23.00	
Sun	07.00	23.00	

## **M**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

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

CCTV shall be installed internally and externally at the premises and shall comply with the following;

- a. The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system. The system shall incorporate a camera covering each of the entrance doors and shall be capable of providing an image which is regarded as identification standard.
- b. The system shall display on any recording the correct time and date of the recording.
- c. The system shall make recordings during all hours the premises are open to the public.
- d. VCR tapes or digital recording shall be held for a minimum of 31 days and 28 days respectively, after the recording is made and shall be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request.
- e. The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.

A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times the premises are open to the public. This staff member shall be able to show recent data or footage with the absolute minimum of delay when requested to a Police Officer or to a Local Authority Enforcement Officer.

Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.

An incident book will be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises will be recorded. This incident book will be kept on the premises at all times and be readily available for inspection by the Police.

A refusals register (whether kept and written or electronic form) will be maintained.

No customers will be permitted to take open containers of alcoholic drinks from the premises.

Whenever the Designated Premises Supervisor is not at the premises another person shall be nominated by them to be the responsible person to manage the premises.

An authorisation of sales, signed and dated by the Designated Premises Supervisor, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.

At least one Personal Licence holder shall be available (this does not mean necessarily present at the premises) at all times that alcohol is on sale.

**c) Public safety**

The Premises Licence Holder shall operate in accordance with all relevant legislation which promotes the public safety objective including, but not limited to, the Health and Safety at Work etc Act 1974 and associate regulations, the Food Safety Act 1990, the Regulatory Reform (Fire Safety) Order 2005 and the Disability Discrimination Act 1995.

Adequate first aid provision shall be available at all times.

**d) The prevention of public nuisance**

Outside the premises, collecting and disposing of litter will be maintained regularly.

A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents and to leave the area quickly and quietly shall be displayed at every exit.

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

A Challenge 25 proof of age policy shall be implemented and adhered to. All staff to have received suitable training in relation to the Challenge 25 proof of age scheme. Records to evidence this will be made available to an authorised officer upon request.

Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- i. A recognised proof of age card accredited under the British Retail Consortium's Proof of Age Standards Scheme (PASS)
- ii. Photo driving licence
- iii. Citizen card supported by the Home Office
- iv. Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.

If no suitable identification is provided, the sale of alcohol to them will be refused.



All staff who are involved in the sale of alcohol shall be trained in relation to the Challenge 25 policy upon commencement of their employment following which refresher training will take place at a minimum of every 6 months. Records to evidence this will be made available to an authorised officer upon request.

Suitable signage will be displayed to specify that a Challenge 25 Policy is in place and that it is an offence to buy alcohol for persons under 18.

**Checklist:**

**Please tick to indicate agreement**

• I have made or enclosed payment of the fee.	✓
• I have enclosed the plan of the premises.	✓
• I have sent copies of this application and the plan to responsible authorities and others where applicable.	✓
• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
• I understand that I must now advertise my application.	✓
• I understand that if I do not comply with the above requirements my application will be rejected.	✓
• [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	✓


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.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating</li> </ul>
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	<p>to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	10 <sup>th</sup> July 2023
Capacity	Authorised Agent

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
<b>Rodger Wightman/ Robin Atkinson</b>			
<b>The Licensing Practice</b>			
<b>3 Cardinal Place</b>			
Post town	<b>Cleveleys</b>	Postcode	<b>FY5 2SQ</b>
Telephone number (if any)	<b>01253 858186 or 01253 770810</b>		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
<b>cardinalsupport@btinternet.com</b>			

## Notes for Guidance

1. 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the 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.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. 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.
8. 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'.
9. 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.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
- ~~14. This is the address which we shall use to correspond with you about this application.~~
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Home Office online right to work checking service.**

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at

<https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

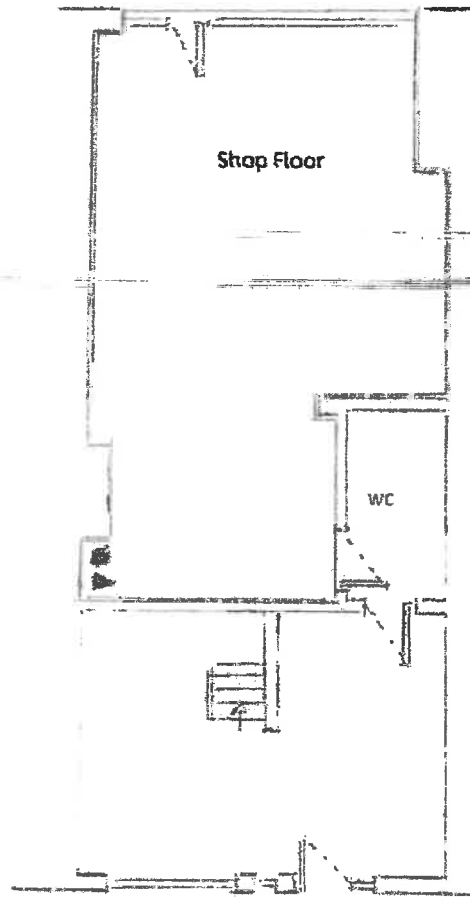
An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

LICENSING ACT 2003


8 NEWTON DRIVE, BLACKPOOL. FY3 8BS

NEWTON DRIVE



Licensed Area 

9kg water fire extinguisher 

9kg dry powder extinguisher 

Scale 1:100







**Consent of individual to being specified as premises supervisor**



hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a new **Premises Licence**

by **Mr Mohammed Anwar**

relating to a Premises Licence ~~for~~

**8 Newton Drive, Blackpool. FY3 8BS**

and any premises licence to be granted or varied in respect of this application made by

**Mr Mohammed Anwar**

concerning the supply of alcohol at

**8 Newton Drive, Blackpool. FY3 8BS**

I also confirm that I am entitled to work in the United Kingdom and currently hold a personal licence, details of which I set out below

Personal licence number: **1466/1**

Personal licence issuing authority: **New Forest District Council  
Licensing Services  
Appletree Court  
Beaulieu Road  
Lyndhurst SO43 7PA  
Tel: 02380285505**

Signed  .....

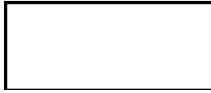
Name **Kandeepan Amirthalingam**

Date **10<sup>th</sup> July 2023.**



# Appendix 4b

**M Squared Services Ltd.**



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[info@mm-squared.co.uk](mailto:info@mm-squared.co.uk)



15 August 2023

Prepared on behalf of;

Mr Subaramaniam Gopinath Premises Licence Holder for Wine Lodge, 3 Whitegate Drive, Blackpool, FY3 9AE, Lic Number PL1119

## Representation Against New Premises Licence

**Applicant Details-** Mr Mohammed Shafiq Anwar

**Premises** – 8 Newton Drive, Blackpool, Lancashire, FY3 8BS

**Activities** – Sale of Alcohol by Retail

I am concerned about the impact of the Prevention of Crime and Disorder and the Prevention of Public Nuisance Objective being undermined. The primary basis of the concern comes from the location of the premises, and the issues already occurring in the area. and the added stress that new premises will have on the cumulative impact already being experienced.

I have operated on the premises (3 Whitegate Drive) for 20 years as well as residing in the accommodation above the shop and in that time, I have come to understand the community I serve and have witnessed many problems associated with the sale of alcohol. I consider myself to be a competent and responsible operator with experienced well-trained staff. Notwithstanding this we as operators still experience problems with people in the area.

The extracts below are lifted from the incident book I keep; the original handwritten accounts are appended to this representation.

**11/03/2021**

*Drunk people continuously roam around outside my shop and today they were much louder than usual. They began to make a ruckus outside my shop causing so much noise. This caused the neighbours to be disturbed and their children became panicked and felt unsafe.*

**13/07/2021**

*I experienced a physical and violent attack from a drunken person. He came into my shop asking for more alcohol. I politely told him I would not serve him due to the licensing laws. He responded in a violent manner and began attacking me, he tried to hit me many times and then broke a few wine bottles. I asked my neighbour for help with the incident and to remove the violent person from my shop.*

**14/10/2021**

*Today a young man came into my shop and approached me for help as he said to call the*

1

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15 August 2023

*police whilst he began to close and lock the shop door. Another two men stood outside of my shop demanding me to open the door to allow them in. They wanted to both attack the first man who came into my shop, and I was worried a violent fight could happen. I took the first man out of the shop through the back doors as he was pleading with me to somehow save him.*

*Signed G. Wesley- DPS of the premises.*

**05/06/2022**

*I witnessed criminal behaviour in my shop today when a young man ran into my shop suddenly and stood by the door in the hope of preventing two other men from getting in. As these two men could not get in, they broke the glass of my door and then left.*

*Signed G. Wesley- DPS of the premises.*

**17/10/2022**

*Theft has occurred numerous times in my shop. This one incident involved a group of children who tried to steal alcohol and other items from my shop. I managed to stop them and asked them to calm down and leave my shop. Instead, they went outside and brought in a huge rock and attempted to throw it at me, but I dodged and was incredibly lucky to escape this as the consequences could have been terrible.*

*Signed G. Wesley- DPS of the premises.*

**14/03/2023**

*I have experienced racism in my shop countless times, and I am unable to defend myself against violent and inhumane people. I was addressed with a racial slur of "paki" (a derogatory term for Pakistani) by a racist man and he continued to say this repeatedly. His harsh and rude treatment of me is something I was shocked by and I wish this could be solved.*

*Signed G. Wesley- DPS of the premises.*

### **Location of the Applicant's Premises and Assessment of the Area**

8 Newton Drive is just less than 100 meters from my shop and less than 25 meters from the boundary line of the cumulative impact area.

Whilst the applicant's premises sit just outside the cumulative impact area (subject to the rebuttable presumption to refuse a licence) its proximity is so close that the grant of a licence is likely to have a marked effect.

Many Authorities in the Lancashire area do not have cumulative impact policies but still acknowledge that it is a relevant issue but are clear to point out that it is incumbent on any person making a representation based on cumulative impact that they must provide examples or evidence to justify those concerns. This principle is also established in Section 182 Guidance.

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15 August 2023

## **Extract taken from Wyre Borough Council Statement of Licensing Policy**

*In the absence of a Cumulative Impact Policy for Wyre, the licensing authority may still consider representations where a body or person believes that an application (new or varied) will have a negative impact on one or more of the licensing objectives. If cumulative impact is being highlighted as the reason for an objection, the responsible authority or other person should state why the application will impact on the area of concern, what the implications will be and whenever possible produce examples or evidence. It may be that the type of premises or offering will attract more people into an already busy and problematic area, therefore impacting on the licensing objectives that address disorder and/or nuisance. This can apply to those premises who sell alcohol on or off the premises equally to those that do not (takeaways)*

## **Extract from South Ribble Borough Council Statement of Licensing Policy**

*17.2 The 'cumulative impact' of the granting of an additional licence, within a particular area, on the promotion of the licensing objectives is, however, a proper matter for the licensing authority to consider under this policy and it may adopt a Special Saturation Policy. Where the licensing authority receives representations from a responsible authority or an interested party that the cumulative effect of new licences is leading to an area becoming saturated with premises, making it a focal point for large groups to gather in and circulate away from the licensed premises themselves, and that this is creating problems of disorder and/or nuisance over and above the impact of the individual premises, the licensing authority can properly consider whether or not the granting of an additional licence might lead to one or more of the Licensing Objectives being undermined.*

## **Extract from Blackpool Councils Statement of Licensing Policy**

### ***4.11 Representations based on Cumulative Impact outside the Cumulative Impact Areas***

***4.11.1 In cases where responsible authorities or other persons seek to establish that an application should be refused because it would result or further contribute to cumulative impact in an area not designated as a cumulative impact area, they should:***

- Identify the boundaries of the area where the alleged problems are arising***
- Identify the licensing objective(s) which are being undermined***
- Identify the type of licensing activity alleged to be causing the problem***
- Provide evidence to show that the undermining of the licensing objective is being caused by the patrons of those premises in the area carrying out that activity.***

The Blackpool policy is the most helpful in providing a checklist for those making representations to cover.

The analysis below demonstrates the location and number of premises in the immediate vicinity and the examples provided in this representation demonstrate that issues prevail

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15 August 2023

relating to the sale and supply of alcohol despite the competence and diligence of existing operators.

The applicant's premises are located close to other Off Licensed premises which are listed below

1. 3 Whitegate Drive- **PL1119**- hours of operation 06.00hrs-00.00hrs (within cumulative impact area)
2. 27 Whitegate Drive – **PL0110**- hours of operation 08.00 hrs -23.00hrs (within cumulative impact area)
3. 64 Whitegate Drive- **PL1822**-hours of operation 07.00hrs -23.00hrs (within cumulative impact area)
4. 96-98 Whitegate Drive **PL1346** Tesco Express-hours of operation 07.00hrs-23.00hrs (within cumulative impact area)
5. 99-101 Whitegate Drive **PL118** - hours of operation 07.00hrs-00.00hrs (within cumulative impact area)

In the immediate locality, there are further licensed premises that sell alcohol and hot food.

6. Bell Vue **PL1147**- opening hours 07.00hrs-00.30- alcohol sales terminate at 00.00hrs
7. Dominos Pizza **WA0134**- hot food sales terminate at 00.00hrs
8. Food Place **PL0068**- alcohol sales terminate at 00.00hrs
9. Guards Club **PL1203**- alcohol sales terminate at 00.00hrs
10. Michael's Restaurant **PL1968** – alcohol sales terminate at 00.00hrs
11. Ronnier Bars **PL2224**-alcohol sales terminate at 23.00 in the week but at the weekend it is 00.00hrs
12. Scotto Pizzeria **PL2170** – alcohol sales terminate at 00.00hrs
13. Monkey Grill Takeaway **WA0088**-hot food sales terminate at 01.00hrs in the week and 02.30hrs at the weekend
14. Turkish Kebab House **WA0328**- hot food sales terminate at 00.00hrs during the week and 00.30hrs at the weekend.

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15 August 2023

The map on the following page identifies the approximate location of existing Off Licensed Premises on Whitegate Drive, it has been constructed using google earth satellite images to roughly identify the location, no mapping software has been used so the exact location will not be precise.

The premises have been listed 1-10 and are identified as follows.

1. 3 Whitegate Drive- **PL1119**- hours of operation 06.00hrs-00.00hrs (within cumulative impact area)
2. 27 Whitegate Drive – **PL0110**- hours of operation 08.00 hrs -23.00hrs (within cumulative impact area)
3. 64 Whitegate Drive- **PL1822**-hours of operation 07.00hrs -23.00hrs (within cumulative impact area)
4. 96-98 Whitegate Drive **PL1346** Tesco Express-hours of operation 07.00hrs-23.00hrs (within cumulative impact area)
5. 99-101 Whitegate Drive **PL118** - hours of operation 07.00hrs-00.00hrs (within cumulative impact area)
6. 206 Whitegate Drive **PL1922**-hours of operation 07.00hrs-23.00 midnight during Easter and Christmas
7. 305-321 Whitegate Drive **PL1198** B&M Bargains -hours of operation 08.00hrs-23.00hrs
8. 285b Whitegate Drive **PL0106**-hours of operation 08.00hrs-23.00hrs
9. 289 Whitegate Drive **PL2117**-hours of operation 07.00hrs-23.00hrs
10. Tesco Service Station **PL1073**- 24 hours.

# M Squared Services Ltd.

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FY6 7BY

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15 August 2023

8 Newton Drive



Key = 000.00hrs terminal hour   
23.00hrs terminal hour 

Prepared by

**Mark Marshall FCILEX**  
Director

A handwritten signature in black ink, appearing to read "Mark Marshall".

15th August 2023

6



## **M Squared Services Ltd.**

66 Tithebarn Street  
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FY6 7BY

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15 August 2023

