

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	21 February 2017

APPLICATION TO REVIEW A LICENCE – Dickson Pizza

1.0 Purpose of the report:

1.1 To consider an application by the Licensing Authority to review the licence issued in respect of Dickson Pizza, 281 Dickson Road.

2.0 Recommendation(s):

2.1 The panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

3.1 None once a review is submitted this application must be determined by a panel.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None once a review is submitted the application must be determined by a Panel.

4.0 Background Information

4.1 Dickson Pizza, 281 Dickson Road Blackpool has the benefit of a premises licence authorising later night refreshment 23.00 – 01.00 Sunday – Thursday; 23.00 – 03.00 Friday-Saturday.

4.2 On 19 December 2016, the Licensing Service received an application from the Licensing Authority to review this licence on the grounds of the prevention of crime and disorder and protection of children from harm. A copy of the application is attached at Appendix 4a.

4.3 Representations in support of the review have been received from Lancashire Constabulary (Appendix 4b) and the Child Protection Licensing Officer (Appendix 4c).

4.4 The licence holder is Ahmed Asgari.

4.5 **Local policy considerations**

None

4.6 **National policy considerations**

Section 11 reviews is relevant in particular:

11.20 – In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

If a suspension or revocation is being considered 11.23 should be taken into account “it will always be important that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.”

The panel have the following powers:

1. Take no action
2. Modify the conditions of the licence (by adding removing or varying conditions)
3. Exclude a licensable activity from the licence
4. Remove the DPS
5. Suspend the licence for up to three months
6. Revoke the licence.

4.7 **Observations**

This licence has the following conditions endorsed upon it:

Annex 2 - Conditions consistent with the Operating Schedule

- 1 CCTV will be installed internally and externally at the premises and will comply with the following:

- i. The system will display on any recording the correct time and date of the recording
- ii. VCR tapes or digital recording shall be held for a minimum of 31 days and 21 days respectively after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request.
- iii. The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.

- 2 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will 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.
- 3 The licence holder shall notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.
- 4 Bi-annually documented maintenance checks of the CCTV system, including the recording system, will be undertaken by the licence holder to ensure that the system is in good working order and fit for purpose.
- 5 The premises shall have installed a wall mounted screen, no smaller than 32", mounted in a position within the premises so that patrons can view live recorded CCTV footage.
- 6 No persons under the age of 16 will be allowed on the premises after 23.00.
- 7 No boxing machines to be in operation in the premises.
- 8 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 9 Risk assessments carried out by or on behalf of the licence holder which relate to a licensing objective will be available for inspection by an officer or a responsible authority.
- 10 The licence holder shall arrange adequate supervision of any queue inside the premises and any which may form to gain entry to the premises.

- 11 Fixed seating will be provided for customers.
- 12 There shall be displayed on the premises notice(s) to warn members of the public visiting the premises of incidents of crime which may affect them. The notice(s) shall be displayed in a position where it is clearly visible to members of the public.
- 13 Any outbreak of fire of any kind shall be reported to the Fire Service immediately and a written record shall be made in a logbook kept for that purpose.
- 14 There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.
- 15 No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.
- 16 Where there are any offensive smells created on the premises, provision shall be made for such smells to be vented from the premises so that they do not cause a nuisance to nearby premises.
- 17 There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
- 18 Where the premises provide food for consumption off the premises, the public area immediately surrounding the premises shall be cleared of waste food, food containers, wrapping etc. at the end of trading on each day. Such refuse shall be placed in a container designed for the storage and disposal of refuse and waste foods which shall be constructed, maintained and located so that access to it by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
- 19 A high counter is installed which prevent access to the cooking areas therefore preventing injury to children.

4.8 Does the information submitted include any exempt information?

No

4.9 List of Appendices:

Appendix 4a: Application for Review of a Premises Licence

Appendix 4b: Representation from Lancashire Constabulary

Appendix 4c: Representation from Child Protection Licensing Officer

5.0 Legal considerations:

5.1 Please see local and national policy in the background information.

6.0 Human Resources considerations:

6.1 None

7.0 Equalities considerations:

7.1 None

8.0 Financial considerations:

8.1 None