

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Date of Meeting :</b>	5 June 2018

## TEMPORARY EVENT NOTICE – PIZZA LUIGI

### 1.0 Purpose of the report:

- 1.1 To consider a Temporary Event Notice submitted by Ibrahim Samy Aboelmaged in respect of an event taking place 10-12 June 2018.

### 2.0 Recommendation(s):

- 2.1 The panel is requested to consider the objection and determine whether to allow the event to go ahead, add conditions to the Temporary Event Notice or issue a counter notice.

### 3.0 Reasons for recommendation(s):

- 3.1 An objection has been received therefore there must be a hearing to consider whether to issue a counter notice.

- 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.

### 4.0 Background Information

- 4.1 On 18 May 2018 the Licensing Service was served with a temporary event notice on behalf of Pizza Luigi, 3A Dickson Road, Blackpool. This notice relates to the provision of late night refreshment to 05.00 in the early hours of Sunday 10 June and Tuesday 12 June 2018.

The Police have objected to the event taking place on the grounds of preventing crime and disorder. A hearing is therefore required to determine whether a counter notice should be issued to prevent the event from taking place. A copy of the objection is attached.

**4.2 Local policy considerations**

None.

**4.3 National policy considerations**

Section 7 – Temporary Event Notices is relevant

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

**Observations**

The premises in question already has the benefit of a Premises Licence (WA0166) which permits the provision of late night refreshment to 03.00 in the early hours of Sunday and Tuesday mornings (continuing on from Saturday and Monday evenings). On the other days of the week late night refreshment is permitted to 05.00.

The licence for this premises was subject to a review last year on grounds of crime and disorder and public nuisance. As a consequence of the review the permitted hours for late night refreshment were restricted to 03.00 on Sunday and Tuesday mornings by way of consent order after appeal in March 2018. Mr Aboelmaged was not the licence holder at the time of the review, however he has recently applied to transfer the Premises Licence into his name on 11 May 2018.

At the hearing the panel can either let the event go ahead, serve a counter notice to prevent the event going ahead or after considering the representations, the panel may decide that it is appropriate for the promotion of the licensing objectives to impose one or more conditions onto the Temporary Event Notice. The panel can only add existing conditions from the Premises Licence.

The licence has the following conditions:

**Annex 2 - Conditions consistent with the Operating Schedule**

1 The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities. CCTV recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the enforcement

authorities.

2 At any time the premises are open to the public after 03.00, the premises licence holder shall employ one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary. On Saturday night / Sunday morning there will be two door staff on duty from 04.00 onwards.

3 Any individual employed on the premises to carry out a security activity must be licensed by the SIA.

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

5 Frequent collection of all litter dropped within the vicinity of the licensed premises to be collected and removed at the licence holder's expense at a frequency of not less than 60 minute intervals during opening hours. This includes washing away to the gutter any spilled food. Litter shall include any used cigarette material that has been discarded by staff and customers.

6 The premises licence holder shall provide suitable containers for the storage of waste (to include waste oil), which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. These containers shall be emptied on a regular basis by a Licensed Waste Carrier and Waste Transfer Notes shall be provided to any authorised officer of Blackpool Council as and when required.

7 The licensee shall ensure that staff arriving before 09.00 or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.

8 Noise from any mechanical ventilation or refrigeration plant shall be inaudible within the nearest sensitive properties or, at the discretion of the Local Authority, shall not exceed some other pre-agreed limit, which does not cause unreasonable disturbance to the residents of these properties or their guests.

9 The volume of any recorded music shall not be played at a level that predominates over other activities within the premises and in turn, shall not cause a nuisance or disturbance to any property within close proximity.

10 The licence holder shall ensure that adequate ventilation is provided, so as to ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to properties within close proximity.

11 The collection and disposal of bottles and refuse should not take place

externally between the hours of 22.00 - 08.00.

12 Any external light source associated with the premises shall not cause a nuisance or disturbance to any property within close proximity.

4.4 Does the information submitted include any exempt information? No

4.5 **List of Appendices:**

Appendix 4a: Temporary Event Notice

Appendix 4b: Objection from Lancashire Constabulary

6.0 **Legal considerations:**

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

7.0 **Human Resources considerations:**

7.1 None.

8.0 **Equalities considerations:**

8.1 None.

9.0 **Financial considerations:**

9.1 None.