

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	23 rd April 2015

APPLICATION TO REVIEW A LICENCE – Al Goucha

1.0 Purpose of the report:

1.1 To consider an application by the Licensing Authority to review the licence issued in respect of Al Goucha, 1A Dickson Road Blackpool.

2.0 Recommendation(s):

2.1 The Panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

3.1 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 request for a review is submitted and accepted it must be considered by a Licensing Panel.

4.0 Background Information

4.1 Al Goucha, 1A Dickson Road Blackpool has the benefit of a premises licence authorising the provision of late night refreshment 23.00 – 05.00 hours daily. On 12th March 2015 the Licensing Service received an application from the Licensing Authority to review this licence on the grounds of crime and disorder, public safety and public nuisance. A copy of the application is attached.

4.2 Representations in support of the application have been received from the Police and Health and Safety. Copies of the representations are attached.

4.3 The licence holder is Amir Abdun. He has held the licence since July 2014.

4.4 **Local policy considerations**

None

4.5 **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.

Observations

This licence was granted in September 2010 and has the following conditions endorsed:

Annex 2 - Conditions consistent with the Operating Schedule

- 1 No entertainment of an adult nature will take place on the premises.
- 2 The fire alarm installed will be maintained on a six monthly contract.

- 3 No persons under the age of 16 will be allowed on the premises after 23.00.
- 4 CCTV will be installed internally and externally at the premises and will comply with the following:
 - 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 will display on any recording the correct time and date of the recording;
 - The system will make recordings during all hours the premises are open to the public;
 - VCR tapes or digital recording shall be held for a minimum of 31 days 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;
 - The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.
- 5 The premises shall have installed a wall mounted plasma screen, no smaller than 42", mounted in a position within the premises so that patrons can view live recorded CCTV footage.
- 6 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times when the takeaway is open to the public. This person will be able to show police recent data or footage with the minimum of delay when requested. This data or footage reproduction should be almost instantaneous.
- 7 At any time the premises are open to the public after 3am, the premises licence holder shall employ at least one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary.
- 8 Any individual employed on the premises to carry out a security activity must be licensed by the SIA.
- 9 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.

- 10 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.
- 11 The premises licence holder shall provide suitable containers for the storage of waste, which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. Such waste to be removed on a daily basis.

4.5 Does the information submitted include any exempt information? No

4.6 **List of Appendices:**

Appendix 4a: Application for a Review of a Premises Licence
Appendix 4b: Representations from Lancashire Constabulary
Appendix 4c: Representations from Health and Safety

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