


Blackpool Council Licensing Service

**Representation made by a Responsible Authority
to an application for the grant / variation of a Premises
Licence / Club Premises Certificate**

Responsible Authority			
Name of Responsible Authority	LANCASHIRE CONSTABULARY		
Name of Officer (please print)	PC 3842 Lisa Evans		
Signature of Officer			
Contact telephone number	01253 604005		
Date representation made	01	06	15
Do you consider mediation to be appropriate			NO
Premises Details			
Premises Name	Family Shopper		
Address	44 St Annes Road		
	Blackpool		
Post Code	FY4 2AS		
Reasons for making representations			
<p>I am in receipt of an application to vary the Premises Licence for the above address.</p> <p>On behalf of the Chief Officer of Police, having reviewed the application the Police make formal objections on the following grounds:</p> <p>The variation application seeks to vary a Premises Licence for what was a members club, to a licence for a convenience store. Specifically, the application seeks approval of a layout plan appropriate for a shop, removal of licensable activities other than off-sales of alcohol and removal of all of the Annex 2 and Annex 3 conditions (with the exception of Annex 2 condition 1). The application is misleading in that it states "the hours for off sales is already granted & not open to consultation." This is a totally misleading statement, as the application seeks to extend the hours for off sales by one hour on a Friday and Saturday. If the application was granted, the premises would be permitted to sell alcohol for consumption off the</p>			

premises until 01.00 during the week and 02.00 on Fridays and Saturdays.

This variation application has been submitted "by the back door" with a view to avoiding the Council's Off-Licence Saturation Policy, which creates a rebuttable presumption that new off-licence applications in the Victoria Ward (where the premises is situated) will be refused unless the applicant can show through the operating schedule and where appropriate, with supporting evidence, that the operation of the premises will not add to the cumulative impact already being experienced. The Policy sets out the steps that an applicant for a new off-licence would be expected to cover in the operating schedule to show that the operation of the premises would not add to cumulative impact. The onus is not on the Constabulary to show that the granting of the application would undermine the licensing objectives, but rather on the applicant to prove that it will not.

The applicant's proposed operating schedule is no more than would be expected on a standard off-licence application in a non-saturation zone. It does not cover 2 of the 3 issues suggested within the Council's Saturation Policy.

The Constabulary believes that the granting of this application will undermine the licensing objectives – specifically the prevention of crime and disorder, public nuisance and the protection of children from harm. If granted, it would allow a new off-licence to open until 01.00 and 02.00 in what is a challenging area of Blackpool.

Victoria Ward where the premise is situated suffers with high levels of deprivation and unemployment. The area has a high incident rate of anti social behaviour and juvenile issues. The area also suffers from high domestic violence rates and neighbour disputes from noise nuisance which has been associated with excessive alcohol misuse. The area also sits on the Border with Bloomfield Ward which is also within the saturation area and suffers with the same problems as Victoria Ward and the areas are so small that the residents within both wards will cross into one another. Within the immediate area there are already three off licences within a two minute walking distance from the proposed premises. The Victoria Area currently has 12 off licences and the Bloomfield ward that it borders has 23 off licences showing that both these areas that sit alongside each other are already saturated.

I have attached a statement of concern about the proposed Off Licence from the Local CBM for the Victoria Ward.

This application should have been submitted as a new Premises Licence application and the Constabulary takes the view that the application for variation should have been rejected by the Council, on the basis that it changes the very nature of the premises from a members club to an off-licence. The variation is so significant that a new application should have been submitted which would have invoked the Council's Off-Licence Saturation Policy.

As it stands, the variation application should be treated in the same way as a new application, due to the proposed change in the layout plan, removal of all of the operational pre-existing conditions and extension of operating hours. As this is a full variation, the off-licence hours are not "protected" as

is suggested in the application and the Council is entitled to reject the application in its entirety. Without approval of the layout revisions, sales of alcohol would be unauthorised. If this creates a problem for Steam Limited, which appears to have made the layout changes presuming that the application will be granted then that is unfortunate, but it is the licensing objectives which must be considered and not the applicant's financial position.

The Committee is asked to reject the variation application on the basis that its grant would undermine the licensing objectives. The applicant should be asked to submit an application for a new off-licence which would be assessed on its merits, in line with the Council's Off-Licence Saturation Policy.

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

- N/A

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Gareth EVANS**

URN

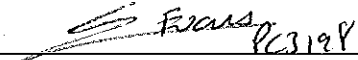
--	--	--	--

Age if under 18 over 18 (if over 18 insert "over 18"). Occupation **Police Constable**

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

Dated the **20th** day of **May 2015**

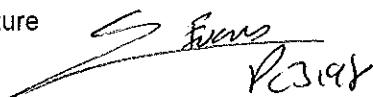
Tick if witness evidence is visually recorded
(supply witness details on rear)

Signature  **PC3198**

I am Police Constable 3198 Gareth EVANS of The Lancashire Constabulary currently based at Blackpool South Police Station where I am Community Beat Manager (CBM) for the Victoria Ward. I have been CBM for the ward for over three years

This statement is in relation to an application to convert the old Waterloo Club at 44 St Anne's Road, Blackpool into a Convenience Store called the Family Shopper which proposes to sell alcohol until 1 am on weekdays and until 2am on Friday and Saturday. This proposal is for a property on Victoria Ward.

The Victoria Ward is classed as being a red zone which has the highest level of demand for the Police which includes crime and anti-social behaviour. This puts the Victoria Ward on par with the Bloomfield Ward. As a force, levels of demand for areas are given three classes utilising the traffic light system. An area with high level of demand is classed as being a red zone. An area with medium levels of demand is classed as being amber and the lowest area of demand green. An example of an amber area is the Marton Ward in Blackpool and an example of a green area is Ribby/Wrea-Green on Fylde. There is a close correlation between the colour system and levels of deprivation and there is a link with alcohol consumption and violent crime and anti-social behaviour.

Signature  **PC3198**

Signature witnessed by

The immediate area for which this store is proposed sits in an area of high unemployment and deprivation. The store would be very close to Aintree Road and the streets which run off it such as Devon Street and Taunton Street. This is an area of close terraced houses and dark dimly lit alleyways some of which are now being alley-gated due to the high incidents of anti-social behaviour which some have been linked to juveniles drinking in the alleyways and causing a nuisance. This area has a high number of houses which are rented. The population is transient, with a large proportion unemployed and at the moment it generally consists of young families with young children of primary school age that often play together in the streets and alleys. The proposed store sits very close to this area. There have also been incidents in the past year of disturbances on Aintree Road late at night which have been alcohol related and the ward currently has a couple of neighbour disputes very near to the proposed store which are basically noise complaints caused by excessive alcohol consumption.

The proposed site for the store also sits in the Council's saturation zone for licensed premises. Within a few metres of the site, on the corner of Aintree Road and St Anne's Road there is Bloomfield Wines. Almost opposite on St Anne's Road towards Waterloo Road there is Stop 2 Shop and on the corner of Waterloo Road and St Anne's Road there is Carols Corner Shop. Also in the vicinity on Waterloo Road there is the Nisa Store and on Marton Drive there is a Tesco Express. All these premises are on the Victoria ward within a few minutes walk from the proposed store. However, this store will also affect the Bloomfield Ward which is extremely close as it is on the opposite side of Waterloo Road. The Victoria ward has the south side, Bloomfield Ward has the north side from Bancroft Park and up to and including the Waterloo Pub. There is also the Full Moon convenience store on the corner of Waterloo Road and St Helier's Road which also sells alcohol. Yet another store selling alcohol and late at night will increase the number of anti-social behaviour incidents and increase crime not just on the

Signature

Handwritten signature of Gareth Evans, with the number 823198 written below it.

Signature witnessed by

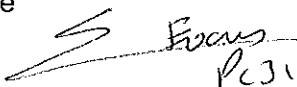
Victoria Ward but also on the Bloomfield Ward which is not only Blackpool's most deprived area but this country's third most deprived area.

Another concern for the proposed siting of the store is the three schools which are all on the opposite side of the proposed store on the stretch of St Anne's Road between Waterloo Road and Marton Drive. There is St Cuthbert's Roman Catholic Primary Academy, The Oracle and South Shore Academy. Another store selling alcohol near the schools with a raised risk of street drinking, anti-social behaviour and crime will be disruptive and potentially a magnet for some pupils from the Oracle and South Shore Academy. This is because the Oracle caters for pupils who are not in main stream education due to behaviour and some pupils at the South Shore Academy are often challenging.

I would strongly advise the council to consider against this variation of the proposed premises licence.


PC3198

Signature


PC3198

Signature witnessed by

Victoria Ward Licensed Premises

