

<b>Report to:</b>	<b>LICENSING PANEL</b>
<b>Relevant Officer:</b>	Lisa Ashton, Licensing Officer
<b>Date of Meeting:</b>	23 August 2022

## **APPLICATION FOR A PREMISES LICENCE – Khan’z Chippy, 28 Lytham Road, Blackpool, FY1 6DY**

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

1.1 To consider an application for a new Premises Licence for Khan’z Chippy, 28 Lytham Road, Blackpool, FY1 6DY.

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

2.1 The panel is requested 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 30 June 2022 the Licensing Service received an application from Tariq Jan for a new Premises Licence at 28 Lytham Road, Blackpool, FY1 6DY. The premises has never been licensed before.

6.2 The application requests permission for Late Night Refreshment only Monday to Sunday 23.00 to 03.00, with the premises being open to the public between 13.00 and 03.00 daily. A copy of the application is attached at Appendix 4a.

6.3 Representations have been received from 2 members of the public, Chris Gallagher and Donna Hampshire. Copies of the representations are attached at Appendix 4b and 4c.

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
1. Appendix 4(a) Application form for a new Premises Licence
  2. Appendix 4(b) Public Objection from Chris Gallagher
  3. Appendix 4(c) Public Objection from Donna Hampshire

**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:**

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.