

<b>Report to:</b>	<b>LICENSING PANEL</b>
<b>Relevant Officer:</b>	Lisa Ashton, Licensing Officer
<b>Date of Meeting:</b>	13 June 2023

## **APPLICATION FOR A VARIATION TO A PREMISES LICENCE – Ronnie’s Bar and Eatery, 54-56 Whitegate Drive, Blackpool, FY3 9DQ**

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

1.1 To consider an application to vary Premises Licence PL2224 issued in respect of Ronnie’s Bar and Eatery, 54-56 Whitegate Drive, Blackpool, FY3 9DQ

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

2.1 The panel is requested to consider the application and determine whether the granting of this variation 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.

3.2a 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

### **4.0 Other alternative options to be considered:**

None, once an application is submitted and representations received it must be considered by the Licensing Panel.

### **5.0 Council Priority:**

The relevant Council priority is:

“The economy: Maximising growth and opportunity across Blackpool.”

## 6.0 Background Information

- 6.1 On 20 April 2023, the Licensing Service received an application from Mr Mark Marshall of MM Squared on behalf of Mr Craig Scott Allen to vary the Premises Licence issued in respect of Ronnie's Bar and Eatery, 54-56 Whitegate Drive, Blackpool, FY3 9DQ
- 6.2 The licence currently authorises the sale of alcohol (for consumption "on" and "off" the premises), Regulated Entertainment Monday to Thursday 09.00 to 23.00, Friday and Saturday 09.00 to 00.00 and Sunday 11.00 to 23.00. Seasonal Variations are included on the licence for The Sale of Alcohol and Recorded Music on Bank Holiday, Christmas Eve and New Year's Eve from 09.00 to 01.00.
- 6.3 The variation application requests permission to allow: Extension of hours to include 1 hour later close in the evening from Sunday to Thursday. No changes are proposed for the weekend. The applicant wishes to have consistency with the opening hours with a terminal hour of midnight 7 days per week, other than the flexibility that already exists for Bank Holiday which the applicant wishes to remain the same. There is no proposal to extend the hours relating to regulated entertainment.
- 6.4 A representation has been received from a member of the public. A copy of the representation is attached at Appendix 4b to this report. The objection refers to noise levels and a breach of licensing conditions surrounding the outside seating area. Condition 17 Annex 2 of the licence does state

*Any outside area used for the consumption of alcohol will cease to be so used from 10pm*

- 6.5 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.

4.17.1 The prohibition on smoking in enclosed public spaces has

increased the demand for outside areas. Applicants are reminded that whilst they can be a valuable addition to the business, they can cause increased nuisance and disorder for residents. Operating schedules should detail how noise nuisance and disorder will be dealt with.

#### 6.6 National policy considerations:

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

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.

#### 6.7 Observations:

The Premises Licence for the Ronnie’s Bar and Eatery was first granted in November 2020. The applicant, Craig Scott Allen, has been the Premises Licence holder since the licence was granted.

6.8 Does the information submitted include any exempt information? No

**7.0 List of Appendices:**

7.1 Appendix 4(a) - Application to vary a Premises Licence  
Appendix 4(b) – Public Objection (Mr A Pritchard)

**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.