

Licensing Hearing



Date	21 st November 2005
Venue	Studio Room, Lowther Pavilion
Committee members	Karen Henshaw, Christine Akeroyd and Keith Wright
Other Councillors	Dawn Prestwich and Fabian Wilson
Officers	Clare Holmes, Chris Hambly and Andrew Lee
Others	None

1. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

2. Application For a Premises Licence - Atlas Takeaway

The panel considered an application from Mr Harrak Said and Mr Mehdi Alaoui-Harouni for a Premises Licence to be granted for Atlas Takeaway, 8 St Davids Road South, St Annes, FY8 1TB.

With the permission of the panel and in accordance with the Fylde Borough Council hearing procedure the objectors addressed the committee and questions were asked. The applicants then addressed the committee and questions were asked.

The Panel then retired to consider and determine the application having regard to the representations submitted and further evidence presented at the meeting, the provisions of the Licensing Act 2003, the guidance issued in respect of it and the council's own statement of licensing policy. Having taken into account all the relevant considerations the Panel reconvened and announced the decision as follows.

RESOLVED: That the application be granted subject to the amendments and the conditions as set out in the schedule attached to these minutes.

3. Application For a Premises Licence - 1 AM

The panel considered an application from Mr Beniamino Zampini and Mr Antonio Costanzas for a Premises Licence to be granted for 1 AM, 2 Pleasant Street, Lytham, FY8 5JA.

With the permission of the panel and in accordance with the Fylde Borough Council hearing procedure the applicants addressed the committee and questions were asked.

The Panel then retired to consider and determine the application having regard to the representations submitted and further evidence presented at the meeting, the provisions of the Licensing Act 2003, the guidance issued in respect of it and the council's own statement of licensing policy. Having taken into account all the relevant considerations the Panel reconvened and announced the decision as follows.

RESOLVED: That the application be granted subject to the amendments and the conditions as set out in the schedule attached to these minutes.



Decision Notice

Date	21 st November 2005
Applicant	Mr Harrak Said and Mr Mehdi Alaoui-Harouni
Premises	Atlas Takeaway 8 St Davids Road South St Annes FY8 1TB
Reason for Hearing	Relevant representations received from responsible authorities and interested parties.
Parties in attendance	For the applicant - Mr Andrew Irving Responsible Authorities - Inspector Horrocks and PC Clarkson Interested Parties - Mr Plant (St Davids Road Action Group)

Decision

We consider it necessary in order to meet the licensing objectives; "The prevention of crime and disorder" and "The prevention of public nuisance" to amend the operating schedule as follows:

For the purpose of the provision of **regulated entertainment** (boxes F and I on the application form) the operating schedule shall be amended as follows:

On Sunday to Thursday inclusive, the provision of regulated entertainment shall be permitted between the hours of 4pm and 12 Midnight.

On Friday and Saturday, the provision of regulated entertainment shall be permitted between the hours of 4pm and 1am.

Non-Standard Timings

The provision of regulated entertainment shall be permitted from 4pm until 2am on Christmas Eve and New Years Eve.

No further additional hours, other than those applied for under the statutory Temporary Event Notice procedure shall be permitted.

For the purpose of the provision of **late night refreshment** (box L of the application form) the operating schedule shall be amended as follows:

On Sunday to Thursday inclusive, the provision of late night refreshment shall be permitted between 11pm and 12 Midnight.

On Friday and Saturday, the provision of late night refreshment shall be permitted between 11pm and 1am.

Non-Standard Timings

The provision of late night refreshment shall be permitted from 11pm until 2am on Christmas Eve and New Years Eve.

No further additional hours, other than those applied for under the statutory Temporary Event Notice procedure shall be permitted.

For the purposes of the premises being **open to the public** (box O of the application form) the operating schedule shall be amended as follows:

On Sunday to Thursday inclusive, the premises shall be permitted to be open to the public between the hours 4pm and 12 Midnight.

On Friday and Saturday, the premises shall be permitted to be open to the public between the hours of 4pm and 1am.

Non-Standard Timings

The premises shall be permitted to be open to the public between the hours 4pm until 2am on Christmas Eve and New Years Eve.

No further additional hours, other than those applied for under the statutory Temporary Event Notice procedure shall be permitted.

In addition to the above, we also consider it necessary to impose the following conditions upon the licence:

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.
2. Risk assessments carried out by or on behalf of the Licence holder which relate to a licensing objective will be available for inspection by an officer of a responsible authority.
3. Frequent collection of all litter dropped within the vicinity of the licensed premises to be collected and removed at the licence holders expense at a frequency of not more than 60 minute intervals during the premises opening hours. This includes washing away to the gutter any spilled food.

Subject to the above and those conditions contained within in the operating schedule, we grant the application as submitted. This Licence shall have no effect the 24th November 2005.



Decision Notice

Date	21 st November 2005
Applicant	Mr Beniamino Zampini and Mr Antonio Costanzas
Premises	1 AM 2 Pleasant Street Lytham FY8 5JA
Reason for Hearing	Relevant representations received from responsible authorities and interested parties.
Parties in attendance	For the applicant - Mr Whiteman and Mrs Costanzas

Decision

We consider it necessary in order to meet the licensing objectives; "The prevention of crime and disorder" and "The prevention of public nuisance" to amend the operating schedule as follows:

For the purpose of the provision of **regulated entertainment** (boxes B, E, F, G, H, I, J and K) the operating schedule shall be amended as follows:

On Sunday to Thursday inclusive, the provision of regulated entertainment shall be permitted between the hours of 10am and 12 Midnight.

On Friday and Saturdays, the provision of regulated entertainment shall be permitted between the hours of 10am and 1am

For the purpose of the provision of **late night refreshment** (box L of the application form) the operating schedule shall be amended as follows:

On Sunday to Thursday inclusive, the provision of late night refreshment shall be permitted between 11pm and 12 Midnight.

On Fridays and Saturdays, the provision of late night refreshment shall be permitted between the hours of 11pm and 1am.

For the purposes of sale or **supply of Alcohol** (box M of the application form) the operating schedule shall be amended as follows:

On Sunday to Thursday inclusive, the supply of alcohol shall be permitted between the hours 10am and 12 Midnight.

On Fridays and Saturdays, the supply of alcohol shall be permitted between the hours 10am and 1am.

For the purposes of the premises being **open to the public** (box O of the application form) the operating schedule shall be amended as follows:

On Sunday to Thursday inclusive, the premises shall be permitted to be open to the public between the hours 10am and 12.30am.

On Friday and Saturday, the premises shall be permitted to be open to the public between the hours of 10am and 1.30am.

In addition to the above, we also consider it necessary to impose the following conditions upon the licence:

1. The premises shall be operated in participation with the 'Pubwatch' scheme.
2. An adequate number of licensed door supervisors will be on duty as appropriate to any risk assessment and in accordance with the guidance under the 'Nightsafe' Scheme.
3. The premises are to be equipped with a close circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities.
4. Only toughened glass vessels are to be used to dispense beer to customers.
5. Risk assessments carried out by or on behalf of the Licence Holder which relate to a Licensing Objective will be available for inspection by an officer or a Responsible Authority.
6. Security arrangements are sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas.
7. Records of incidents involving the use and/or detection of drugs shall be maintained and those records shall be available for inspection.
8. Confiscated and found drugs shall be stored, disposed and transferred in accordance with procedures agreed with the Lancashire Constabulary.

Subject to the above, the mandatory conditions contained within the Act and those in the operating schedule, we grant the application as submitted. This Licence shall have no effect the 24th November 2005.