

Dear Councillor

LICENSING PANEL - TUESDAY, 26TH SEPTEMBER, 2023

Please find attached additional information for Tuesday, 26th September, 2023 meeting of the Licensing Panel, which were received after the agenda had been despatched.

Agenda No Item

4 <u>APPLICATION FOR A PREMISES LICENCE, PREMIER, 83 - 85 BOND STREET, FY4 1BW</u> (Pages 1 - 42)

Yours sincerely



Reference Number	Category	Contents of Document
Sup DOC 1	Public	Pre-application e-mail to the Licensing Authority and the
		Police
Sup DOC 2	Public	Attachment to the e-mail listed as Sup DOC 1 showing the
		street view and location of the original premises referred
		to in the pre-application e-mail (80 Bond Street)
Sup DOC 3	Public	Map Plotting out premises in the vicinity sent as an
		attachment to the e-mail lists ed as Sup Doc 3
Sup DOC 4	Restricted	The first lease for the premises which is unredacted,
		contains financial information so a request is being made
		to allow access to interested parties of the hearing,
		members of the Committee and legal advisor only
Sup DOC 5	Restricted	The second lease for the premises, which is unredacted,
		contains financial information so a request is being made
		to allow access to interested parties of the hearing,
		members of the Committee and legal advisor only
Sup DOC 6	Public	Advert from letting agents show the commercial value of
		nearby premises (80 Bond Street)
Sup Doc 7	Restricted	Screenshots from the applicant's bank demonstrating full
		rental payment being made
Sup DOC 8	Public	Street scene photos to demonstrate the challenging
		trading conditions
Sup DOC 9	Public subject to	Witness statement of the applicant setting out the
	redaction	background and stresses of the landlord and tenant
		relationship contains some financial information relating
		to the lease, happy to keep this document "public" but
		ask that the figures be redacted "
Sup DOC 10	Public	E-mail to and from the Police requesting logs
Sup DOC 11	Public	Report to analyse the 9 alcohol-related logs referred to in
		the Police Objection
Sup DOC 12	Public	Log relating to the premises, occurred at 13. 28 hours on
		the 15 ^{th of} April 2023. The licence holder has been asked
		for more information and stated they provided the
		customer's details to the police as well as produced CCTV
		of the incident.



Hi Mark

Apologies but I keep missing you. I know you've been trying to ring me so I'll try and set aside a few minutes today to give you a call. I'll have a read through the revised app before I ring you.

Cheers,

Lee Petrak

Trading Standards & Licensing Manager

Public Protection Division | Community & Environmental Services Department | Blackpool Council | Municipal Buildings | Corporation Street | Blackpool | FY1 1NF T:01253 477861

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W: www.blackpool.gov.uk



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From: info@mm-squared.co.uk <info@mm-squared.co.uk>

Sent: 24 July 2023 20:49

To: Lee Petrak < Lee.Petrak@blackpool.gov.uk > Subject: FW: New application 80 Bond Street

CAUTION: This email originated from outside of the organisation. Do not provide any login or password details if requested. Do not click on any links or attachments unless you are sure that the content is safe. If you are unsure about this email or its content forward it to: cyber.security@blackpool.gov.uk.

Dear Lee

Further to the e-mail below, there has been a slight change of plan, the applicant has now purchased the freehold for 83/85 Bond Street. The premises is virtually the same dimension as the previous one and is literally across the road.

The application should be lodged this week.

Best wishes

Mark Marshall Director 01253 367100 07796 994786 Mail-info@mm-squared.co.uk https://www.mm-squared.co.uk

From: info@mm-squared.co.uk <info@mm-squared.co.uk>

Sent: Thursday, June 29, 2023 2:11 PM

To: 'Lee Petrak' < <u>Lee.Petrak@blackpool.gov.uk</u> >

Subject: New application 80 Bond Street

Dear Lee

Please can you call me to discuss a new application? It's on the outer edge of the saturation area on Bond Street.

The applicant is operating already at 89 Bond Street and is in dispute with his Landlord over substantial rent increases, he is already paying way above market value and the situation if it continues will put him out of business.

The Landlord (owner of 89) obtained a licence at 82 Bond Street some years ago, but it has never been operational, he is using this as a bargaining chip to exert more pressure by saying if he moves out and operates at 80 Bond Street, he will simply put someone in number 82 to make life ever more difficult.

The applicant's wife is the Premises Licence Holder at 89 and they would be content to surrender it if the grant of 80 Bond Street was successful.

Looking at the area it is blighted beyond belief and very few businesses are operational so to imagine cumulative impact is an issue in the area is unlikely. The distance between the 2 is 227m.

There are currently 2 operational premises on the road, 147 and 89 but a dormant licence exists at 82 with a proposed new application at number 80. There is an additional one on Station Road close to the junction with the Promenade.

This would fall under one of the key points in the policy that the applicant is relocating from one part of the area to another.

They are committed to the process and feel they require this as a lifeline to continue in business, they have built up a loyal community client base which they hope will follow them across the Road if the worst comes to the worst.

I have attached an Ariel shoot and highlighted the locations of the existing licences with yellow dots, but it needs to be noted that number 82 is operational, all the fees look like they have been paid up to date at 82 and this would appear to be a land banking scenario.

Best wishes

Mark Marshall Director 01253 367100 07796 994786

Mail-info@mm-squared.co.uk https://www.mm-squared.co.uk

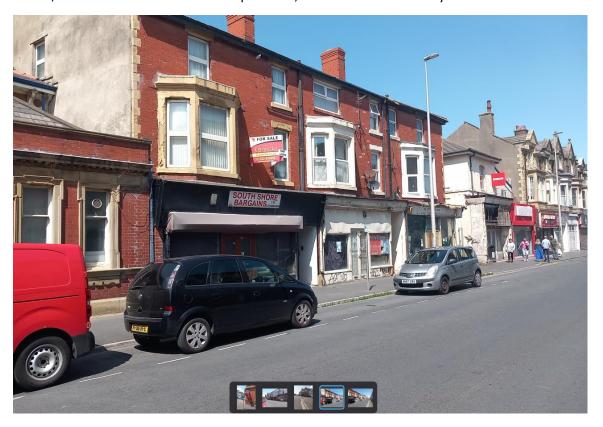


80 Bond Street Proposed site for new application

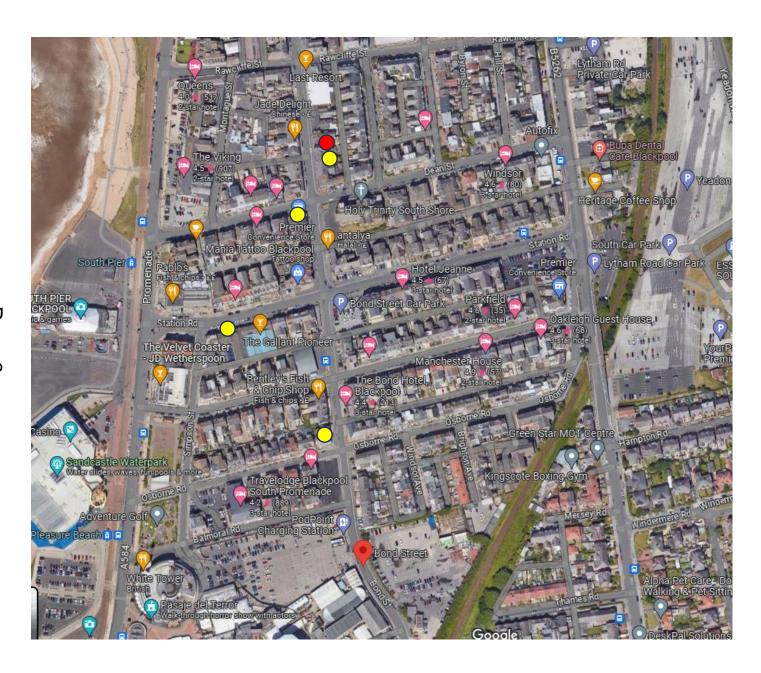
82 Bond Street PL2018 (not operational)



Below; View across the road from the premises, the whole block entirely vacant







This page is intentionally left blank

Bond Street Bistro, 80 Bond Street, Blackpool

REF: 0CL783L

- * Café/Bistro and Takeaway
- * South Shore, Blackpool
- * All Year-Round Trading Location
- * Next Door to William Hill
- * In Good Order Throughout
- * Priced to Lease
- * Tremendous Potential
- * Garage
- * Viewing Recommended



DESCRIPTION: Kenricks are delighted to offer this well-known and popular Café/Bistro for Lease.

This café is situated next door to William Hill in the busy all year-round trading location of Bond Street.

The business did sell a range of sandwiches, toasties, paninis, breakfasts, light meals, deserts and hot and cold drinks to takeaway or to eat in.

Ground Floor (approx. 1083sq ft)

Open Plan Dining Area/Preparation Area. The Dining Area has a suspended ceiling, air conditioning and seating for 22 diners. The Preparation Area has a range of Equipment including an 18-pot ice cream dispenser, refrigerated display cabinet, coffee machine, water boiler, milk machine, commercial salad bar, pie warmer and Epos electronic till x 2. Disabled Ladies and Gents WC Facilities. Kitchen with a full stainless steel extractor system and a range of catering equipment including microwaves, griddle, pizza preparation, saladette, oven, hot plate, toaster, fryer and freezer. Freezer Room. Staff Toilets.





REF: 0CL783L

EXTERIOR: Brick Garage and yard to the rear.

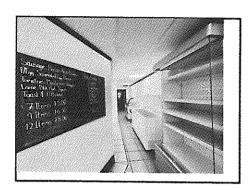
AGENTS NOTES: The property is protected with electric shutters to the front and has air conditioning. The inventory will remain in the ownership of the landlord.

BUSINESS: We are informed the business ceased trading in June 2022.

TENURE: Leasehold. New flexible lease is offered at a rent of £8,000 p.a.

PRICE: No Ingoing. £2,000 deposit required plus landlords' legal fees.

<u>VIEWING</u>: By appointment through Kenricks 01253 420420.





Immediately below is 80 Bond Street, advert attached was available at 8k per annum. Next to it moving South is 84 Bond Street a licensed premises owned by the applicant Landlord.





The photo above was taken at 11.27 on the 31^{st of} August 2023, a peak holiday period little if any businesses were open at this time and most appeared vacant and available to rent.



Premises recently demolished after years and years standing derelict which again demonstrates the commercial challenges in the area. Photo obtained at 11.27 on the 31st of August 2023



89 Bond Street is the premises currently in operation by the applicant highlighted with the red circle. The green circle is the premises recently purchased where they hope to relocate the business.

Sent from my iPhon

Begin forwarded message:

From: "Pritchard, Emma" < Emma.Pritchard@lancashire.police.uk

Date: 5 September 2023 at 15:41:23 BST

To: Caroline Hannon <admin@mm-squared.co.uk>, "Cox, Nat" <Nat.Cox@lancashire.police.uk>

Subject: RE: Police Objection 83 Bond Street

Good Afternoon,

I have checked our system and cannot find any Police Licensing visits or warning letters for any offlicence on Bond Street within the last 3 years.

With thanks,

Emma

PC 4107 Emma Pritchard West Licensing Department Bispham Police Station Blackpool 01253 604073 07815 448093

From: Caroline Hannon <a dmin@mm-squared.co.uk>

Sent: Tuesday, September 5, 2023 10:16 AM

To: Cox, Nat < Nat.Cox@lancashire.police.uk >; Pritchard, Emma

< <u>Emma.Pritchard@lancashire.police.uk</u>> **Subject:** Fwd: Police Objection 83 Bond Street

Good morning

I've sent this email to you both incase any of you are on leave etc.

Please could you tell me if there have been any licensing visits or warning letters for the off licenses operating on Bond St in the last 3 years?

Kindest regards

Caroline

From: info@mm-squared.co.uk

Date: 4 September 2023 at 15:27:29 BST

To: Caroline Hannon <a dmin@mm-squared.co.uk>
Subject: FW: Police Objection 83 Bond Street

From: Cox, Nat < Nat.Cox@lancashire.police.uk > Sent: Thursday, August 31, 2023 7:59 AM

To: 'info@mm-squared.co.uk' <info@mm-squared.co.uk>

Cc: 'Lee Petrak' < Lee. Petrak@blackpool.gov.uk > Subject: RE: Police Objection 83 Bond Street

Hi Mark

Hope you're well?

I'm not sure how the analyst obtains the data, but I will go back to her and see if I can get the log numbers – leave it with me.

Cheers

Nat

Nat Cox (3390)
West Licensing Sergeant
Bispham Police Station
Mobile 07970 336242
Phone 01253 604074
nat.cox@lancashire.police.uk
<image002.png>

From: info@mm-squared.co.uk <info@mm-squared.co.uk>

Sent: Thursday, August 31, 2023 1:15 AM

To: Cox, Nat < Nat.Cox@lancashire.police.uk >
Cc: 'Lee Petrak' < Lee.Petrak@blackpool.gov.uk >

Subject: Police Objection 83 Bond Street

Dear Nat

I have received your objection regarding 83 Bond Street, and note you have referred to data, not in the current CIA so wanted to understand a little more detail about the alcohol-related incidents.

The paragraph I am interested in is.

Bond Street

1. During the period August 2022 - July 2023, there were 77 offences recorded on Bond Street, and 9 of the 77 (12%) were Alcohol-related offences.

The applicant is entitled to understand more about these incidents to see if there is a link, even if it is just a casual one to the sale of alcohol from an Off Licence in the area.

We should only be talking about 9 logs so hopefully not too onerous of a task to produce these so we can examine the alcohol-related offences you refer to.

The importance of this application was summarised in my pre-application contact with Lee and Emma. I did speak with Lee over this, and he said he was going to relay our conversation to the Police, I have also discussed it very briefly with Emma at the time of submission.

Suffice it to say that the applicant is seeking to reallocate his business and not operate 89 and 83 simultaneously.

There is a provision in the Policy that would look favourably on such circumstances. See para 4.10.3 (bullet point 3) of Blackpool's Statement of Licensing Policy.

Number 82 Bond Street which has had a licence since 2014 has never been used as a functioning Off Licence since its grant, however, in the last week, it has now been fitted out and is about to open. The Landlord of 82 is also the applicant's landlord and his threat to open across the road has been made alongside the unreasonable rent increases he is applying to 89. At least part of his threat is now coming to fruition.

I will be obtaining a statement from the applicant to set out all the facts and both he and his wife will attend the hearing, I have asked for some evidence to demonstrate the pressure the landlord is exerting but in the applicant's words, he tells me he puts very little in writing and it is all via phone calls.

He is seeking only to save his business; he has operated in the area for 3 years without incident (so he tells me) and the absence of any specific details about 89 Bond Street in your representation suggests that he and his wife are not problematic operators.

He is a desperate man as you will probably glean from the frantic way, he was looking for property in the immediate vicinity first opting for a rental agreement on number 80 then a rushed purchase of the freehold of 83/85. To be fair you could have your pick of vacant property on Bond Street as it is certainly one of the most commercially baron and run-down locations in Blackpool.

It would seem the new operators at 82 may be the ones to watch as the area has limited commercial opportunities. The applicant on the other hand has already put the groundwork in and built up a local custom base that he expects to follow him to 83.

He can offer undertakings to surrender the licence and he can offer further promises to refuse to sign a consent form should someone try and reinstate 89 Bond Street but if the Council receives a valid transfer within 28 days of the surrender and a statement of reasons from that applicant why has not been able to obtain consent the Council would be left with little option but to reinstate 89 Bond Street.

Market forces would not allow this many shops to operate, there simply isn't the demand in this location. The Landlord could end up with a whole load of vacant shops but none of this is the applicant's doing he is simply looking for a viable exit route from this bizarre situation.

I do appreciate where you are coming from by lodging an objection and this story needs to be tested and examined in more detail so a hearing is possibly appropriate but given the importance of this matter to the applicant he has already committed to seeing the process through to the end so if we are discussing crime statistics it would be only fair to see the incidents that sit behind these statistics.

I will submit a raft of additional evidence and hope to have it submitted 5 days before the hearing.

Would it be possible to obtain redacted copies of the 9 logs from Bond Street within 7 days?

Best wishes

Mark Marshall
Director
01253 367100
07796 994786
Mail-info@mm-squared.co.uk
https://www.mm-squared.co.uk

Police Objection for 83/85 Bond Street, Blackpool.

I Caroline Hannon am currently subcontracted by Mark Marshall to carry out work for licensing matters.

I had 16 years of policing experience with Lancashire Constabulary taking voluntary exit in March 2016. My experience in the police force was majority front-line policing. I worked in the licensing department as a Sergeant and in Immediate Response as an Inspector which incorporated Blackpool Town Centre. I have been the Nighttime Operational Sergeant and Inspector running the nighttime public order operations. I was a trained Bronze Commander covering public order, royal visits and the protest movement within Lancashire. I was also the lead Inspector for Police liaison officers for Lancashire Constabulary.

I was subcontracted by Mark Marshall to review the 9 police incident logs referred to by Police Sergeant Cox in his objection.

From my experience in police licensing, objections would be made if there was evidence to support such representations. However, I believe this data has been gathered by a police analyst on the basis it occurred on Bond Street and it was alcohol-related, the logs do not show a direct link nor mention the premises.

I have attached a table which explains why eight logs are not linked to the premises and only one occurs within the shop, and the owner cannot be held accountable for any wrongdoing. The premises complies fully with the police requesting CCTV and the customer's details.

Log	Classification	Incident	Connection To Premises
LC20221020-1371	Domestic Incident	Harassment by partner at home address.	No link to premises.
LC20221106-0343	Assault	Holiday makers staying in apartments who struggle to give comms operate exact location for domestic incident.	No link to premises. Offence committed on Bagot St not Bond St.
LC20221214-1056	Sexual Assault	Female reports she was sexually assaulted at a party, address in South Shore.	No link to premises. Informant cannot confirm address and just states in South Shore.
LC20221218-0975	Assault	Informant films a male urinating in the street and is assaulted.	No link to premises.
LC20220126-0492	Assault	Informant reporting assault by ex partner after the incident occurred.	No link to premises. Incident is offenders address,not Bond Street.
LC20230131-0236	Sexual Offence	Informant reporting that her two daughters have been sexually assaulted at an address they stayed at.	No link to premises. Offence at offenders address and log does not confirm Bond St as place of offence.

LC20230415-0700	Public Order	During the afternoon a regular customer and a holidaymaker have a verbal only dispute over placing their shopping on the payment desk.	This incident takes place within the shop but the owner could not have prevented this from occurring. Full cooperation with the police producing CCTV and customer's details.
LC20230531-1472	Malicious Communication	Domestic incident between a couple and male arrested.	No link to premises.
LC20230703-0842	Assault	Log created by officer as assault disclosed whilst dealing with separate log.	No link to premises.

In summary, I believe that at least three of the above logs, as per the table above, did not occur on Bond St and it is possibly the location of the informant at the time of reporting the incident.

In my opinion, eight out of nine logs supporting the police objection have no relevance to the premises at all. One log has a causal link as a verbal argument occurs within the premises midafternoon. These logs do not apply to the applicant as the figures are mainly domestic violence-related offences, unconnected to the premises and as such no longer acceptable as evidence against the application.

On Tuesday 5th September 2023 I requested information regarding any licensing visits or warning letters for licenses operating on Bond Street for the last three years, PC Pritchard from the police licensing team confirmed that there was zero on the police system.

Caroline Hannon 05/09/23



Lancashire Constabulary Sleuth Read Only - Connect Go Live Date: 27 Nov 2018 03:45:00

Welcome PC 3390 Cox PAVA Canister 19642 Expires 02/09/2023 Friday, September 01, 2023 12:21:44 ASP Version 3.4.0

Incident Report - LC-20230415-0700

Print Cancel

Date: 15/04/2023 **Time**: 13:28 hours

Informant:

Informant Contact Numbers:

Informant Address:

Incident Location: WA34

Incident Address: 89 PREMIER CONVENIENCE STORE BOND

STREET BLACKPOOL

Class: Public Order

Type: PUBLIC ORDER

Details: INFORMANT HAS RUNG AS HE HAS HAD A

MALE APPROACH HIM AND HIS CHILDREN AND BEGIN SHOUTING AND SWEARING AT THEM IN THE PREMIER SHOP NEAR TO THIS LOCATION --- MALE APPRAOCHED HIS 6 YEAR OLD DAUGHTER IN THIS SHOP AND BEGAN SHOUTING AT HER "WHAT THE

FUCK ARE Y

Officer Dealing: 7030

Involved Vehicles: Officers Attended: Call Signs Attended:

Local Requirements: NQ

Related Actions:

15/04/2023 13:32 hours 367 367 - (W-CAL207)

Informant has rung as he has had a male approach him and his children and begin shouting and swearing at them in the Premier Shop near to this location

15/04/2023 13:32 hours 367 367 - (W-CAL207)

15/04/2023 13:32 hours 367 367 - (W-CAL207)

Male appraoched his 6 year old daughter in this shop and began shouting at her "WHAT THE FUCK ARE YOU LOOKING AT?"

Page 37

15/04/2023 13:32 hours	367	367 - (W-CAL207)
15/04/2023 13:33 hours ===	367	367 - (W-CAL207)
		367 - (W-CAL207) p the male has shouted "FUCK OFF" UT" repeatedly at the informant
15/04/2023 13:33 hours ===	367	367 - (W-CAL207)
15/04/2023 13:34 hours Male was white male, with	367 n a skinhead ha	367 - (W-CAL207) ircut and black jacket and local accent
15/04/2023 13:34 hours The suspect has now turn	367 ed on to Bright	367 - (W-CAL207) Street and away from the informant
15/04/2023 13:34 hours	367	367 - (W-CAL207)
15/04/2023 13:34 hours		13368 - (WA-SOUDIS2) SHOP NEARBY ON BOND STREET
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15/04/2023 13:36 hours ANSWER NO HARM DIS		367 - (W-CAL207)
15/04/2023 13:37 hours QUESTION RISK:	367	367 - (W-CAL207)
SHOP DUE TO HER LOC	E HAS CONFR	367 - (W-CAL207) ONTED 6 YEAR OLD CHILD IN A AND THEN CONFRONTED PARENT CATION HE MAY CONTINUE TO DO
15/04/2023 13:37 hours WITH OTHER PERSON I		367 - (W-CAL207)
15/04/2023 13:37 hours QUESTION INVESTIGAT		367 - (W-CAL207)
15/04/2023 13:37 hours ANSWER SENT FOR DE		367 - (W-CAL207)
15/04/2023 13:37 hours 7030: NEARBY WILL ASS ANY TRACES		13368 - (WA-SOUDIS2) RCH, WILL SHOUT UP IF THERE IS
15/04/2023 13:37 hours WA49E FINISHING STAT	13368 EMENT & WILL	13368 - (WA-SOUDIS2) . THEN MAKE
15/04/2023 13:37 hours QUESTION VULNERABIL	367 LITY:	367 - (W-CAL207)
15/04/2023 13:37 hours ANSWER NONE DISCLO UNDER THE INFLUENCE	SED HOWEVE	367 - (W-CAL207) R THE MALE APPEARED TO BE TO THE INFORMANT
15/04/2023 13:38 hours QUESTION ENGAGEME	367 NT:	367 - (W-CAL207)
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15/04/2023 13:38 hours	367	367 - (W-CAL207)

Page 39

QUESTION PREVENTION & INTERVENTION

	367 R MOST APPR	367 - (W-CAL207) COPRIATE RESOURCE AT THIS TIME
15/04/2023 13:38 hours Call Script THRIVE/NDM Co	367 ompleted	367 - (W-CAL207)
15/04/2023 13:47 hours SEARCHED AREA, NO TRA OF ANY INDIVIDUALS UND	ACE OF THIS	7030 - (SMARTDC01) MAN. BEEN IN THE AREA NO SIGNS UENCE.
15/04/2023 13:48 hours No of Arrests 0 Cautions 0 N	11953 No. of Reports	11953 - (WA-SOUDIS1) 0
15/04/2023 13:48 hours Disposal Codes: ,100	11953	11953 - (WA-SOUDIS1)
15/04/2023 13:48 hours No. of Arrests: 0 F.A. 0=N 1		11953 - (WA-SOUDIS1) eports: 0
15/04/2023 13:48 hours Handling Officer: 7030	11953	11953 - (WA-SOUDIS1)
15/04/2023 13:48 hours Qualifiers No Qualifier	11953	11953 - (WA-SOUDIS1)
15/04/2023 13:48 hours Other Factors FACTORS1-N	11953 NO QUALIFIEF	11953 - (WA-SOUDIS1) RS
15/04/2023 13:48 hours LC-20230415-0700 HAS BE		11953 - (WA-SOUDIS1) D
	W** OIC TO RE O IT BE REQUI	ECORD A S4A PO 125/09. THIS LOG IRED TO SYSTEM GENERATE. THIS
TO. IF OFFICER IS NOT IN DISCUSS FURTHER PLEA	TENDING TO SE CONTACT	1562 - (Q-NCRS100) RECORD OR WOULD LIKE TO NCRS ON 415371. IT IS THE DER AND RECORD ALL DISCLOSED
15/04/2023 15:40 hours OFFENCES IN LINE WITH	1562 HOCR.	1562 - (Q-NCRS100)
15/04/2023 15:43 hours	1562	1562 - (Q-NCRS100)

Page 40

OIC EMAILED RE THIS UPDATE AS LOG CLOSED.

Victim Management Incident Log Status: No Log Records Yet

Add Victim Management Comment

NSIR DETAILS

Notifiable: No Change to Notifiable: No Change from Notifiable: No

Informant Type: Reporting Method:

Incident occurred between: 01/01/1900 : and Incident Reported: 15/04/2023

01/01/1900 : 13:28

CLOSURE DETAILS

Date / Time Closed: 15/04/2023 134807 hours

Response: Priority (1 | Result: Arrested: 0

Crime: N Assault Police: N

Motorway: Press: Spatial:

Briefing Sheet: N Management: N INTL: N

Emergency Details:

Coop Closed: N Follup

Case Closed: N Required: N Log Audited: N

ALARM DETAILS

Alarm Cause: Alarm Type:

CRIME DETAILS

Crime Ref: 04/65472/23 HOC: Location:

OIC:

REPEAT VICTIMISATION DETAILS

Victim Victim Victim DOB: 01/01/1900 Surname:

Vieting Tymes Person/Property

Victim Type: Person Index: 0 Index: 0

Property Index: 0 Graded Response:

PERFORMANCE STATISTICS Times Changed

Total Time from

Off Attended: 0 4m 49sec Despatch To 0m 0sec

Scene:

Call Handling Time for first

Completion to 19m 36sec Resource to 0m 0sec

Despatch: Arrive at Scene:

Total Officer Time Spent On Incident: 10m 28sec

*** End Of Report ***

HomePage Feedback HQ Intranet

Log Out

3390 - 01/09/2023 12:21:02