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Blackpool Council

10 April 2015

To: Councillors Green, Hunter and Hutton

The above members are requested to attend the:

LICENSING PANEL

Thursday, 23 April 2015 at 10.00 am
Solaris Centre, New South Promenade

A G E N D A

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

- A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.
- B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION FOR THE TRANSFER OF A PREMISES LICENCE- STONEHOUSE HOTEL

(Pages 1 - 12)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR THE TRANSFER OF A PREMISES LICENCE- Stonehouse Hotel
- c. ANNOUNCEMENT OF THE DECISION FOR THE TRANSFER OF A PREMISES LICENCE- Stonehouse Hotel

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail lennox.beattie@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	23 rd April 2015

APPLICATION FOR THE TRANSFER OF A PREMISES LICENCE – STONEHOUSE HOTEL

1.0 Purpose of the report:

- 1.1 To consider an application to transfer the Premises Licence for the Stonehouse Hotel, 26/28 Vance Road.

2.0 Recommendation(s):

- 2.1 The Panel is requested to consider the representation and determine whether it is appropriate for the promotion of the crime and disorder objective to allow the transfer to take place.

3.0 Reasons for recommendation(s):

- 3.1 An objection has been received therefore there must be a hearing to consider whether to issue a counter notice.

- 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

3.3 Other alternative options to be considered:

None, once an application has been submitted and a representation received it must be considered by the Licensing Panel.

4.0 **Background Information**

4.1 On 24th March 2015, the Licensing Service received an application to transfer the premises licence for the Stonehouse Hotel 26/28 Vance Road into the name of Derek Littlejohns. A copy of the application is attached.

4.2 The Police have objected to the transfer on the ground of preventing crime and disorder. A copy of the representation is attached.

4.3 **Local policy considerations**

None.

4.4 **National policy considerations**

In exceptional circumstances where the chief of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. Such objections are expected to be rare and arise because the police have evidence that the business or individuals seeking to hold the licence or business or individuals linked to such persons are involved in crime (or disorder).

4.5 **Observations**

The Stonehouse Hotel was originally licensed by the Council in 2005. The licence authorises the sale of alcohol for hotel residents and guests 24 hours a day. As this is a converted licence it only has the mandatory conditions endorsed upon it. The Panel has no powers to add conditions onto the licence today.

The premises licence was surrendered on 4th March 2015. The transfer received on 24th March 2015 had the effect of reinstating this licence. If the transfer application was refused at today's hearing, the licence would again lapse with immediate effect.

The Panel is restricted to considering only the impact on the crime and disorder objective when reaching their decision.

4.6 Does the information submitted include any exempt information? No

4.7 **List of Appendices:**

Appendix 4a: Transfer application

Appendix 4b: Representation from Lancashire Constabulary

6.0 Legal considerations:

6.1 Please see local and national policy in the background information.

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

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THEM

Blackpool Council

24 MAR 2015

**APPLICATION TO TRANSFER A PREMISES LICENCE
LICENSING ACT 2003**

Name of proposed
new licence holder:

DEREK LITTLEJOHNS



Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

T: (01253) 47 8572 / 8589
F: (01253) 47 8372

www.blackpool.gov.uk

Schedule 6

Application to transfer a premises licence to be granted under the Licensing Act 2003

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We

DEREK L HALEJOHNS

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 - Premises details:

Address	The stonehouse HOTEL				
	26/28 VANCE ROAD, BLACKPOOL				
		Post Code	F	4	1
			4	9	0
Telephone Number	01253 471 563	Mobile Number			

Please give a brief description of the premises: (see guidance note 1)

20 bedroom Hotel serving Alcohol and late Night refreshments and playing Recorded Music

Name of the current Premises Licence holder	MRS. SUSAN M STONEHOUSE
Premises Licence number	PL1012

Part 2 – Applicant details

In what capacity are you applying for the premises licence to be transferred to you

- a) An individual or individuals*

Complete Section A
- b) A person other than an individual *
- i. As a limited company

Complete Section B
- ii. As a partnership

Complete Section B
- iii. As an unincorporated association

Complete Section B
- iv. Other (for example a statutory corporation)

Complete Section B

- c) A recognised club Complete Section B
- d) A charity Complete Section B
- e) The proprietor of an educational establishment Complete Section B
- f) A health service body Complete Section B
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales Complete Section B
- ga) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent Hospital in England Complete Section B
- h) The chief officer of a police force in England or Wales Complete Section B

*If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business that involves the use of a premises for licensable activities
- I am making the application pursuant to a:
 - Statutory function
 - A function discharged by virtue of Her Majesty's prerogative

A. INDIVIDUAL APPLICANTS (fill in as applicable)

Title:	<input checked="" type="radio"/> Mr	<input type="radio"/> Mrs	<input type="radio"/> Miss	<input type="radio"/> Ms	<input type="checkbox"/>	Forename(s)	DEREK		
Surname	LITTLEJOHNS					Date of Birth			
Home address									
	BLACKPOOL								
						Post Code			
Telephone Number					Mobile Number				
E-Mail address									

SECOND INDIVIDUAL APPLICANT (If Applicable)

Title:	Mr	Mrs	Miss	Ms		Forename(s)	
Surname						Date of Birth	
Home address							
						Post Code	
Telephone Number					Mobile Number		
E-Mail address							

B. OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name							
Address							
						Post Code	
Registered number							
Description of applicant (for example partnership, company, unincorporated association)							
Telephone number							
E-Mail address (optional)							

Part 3

Are you the holder of the premises licence under an interim authority notice?

Yes	No
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Do you wish the transfer to have immediate effect?

Yes	No
-----	----

If not, when would you like the transfer to take effect?

Day	Month	Year

Have you enclosed the consent form signed by the existing premises licence holder?

Yes	No
-----	----

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

If this application were granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Have you enclosed the premises licence?

Yes	No
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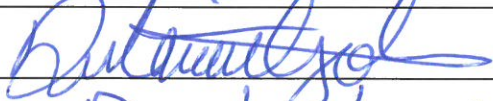
If you have not enclosed the premises licence referred to above please give the reasons why not.

- I have made or enclosed payment of the fee (£23)
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the original premises licence and summary
- I have sent a copy of this application, a copy of the consent form of the existing Premises Licence Holder to transfer and a photocopy of the Premises Licence to the Chief Officer of Police today
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (see note 2)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (See guidance note 3). **If signing on behalf of the applicant please state in what capacity.**

Signed	
Print Name	DEREK LITTLEJOHNS
Capacity	PREMISES LICENSOR
Date	17/3/2015

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other duly authorised agent. (See guidance note 4) **If signing on behalf of the applicant please state in what capacity.**

Signed	
Print Name	
Capacity	
Date	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Name										
Address										
	Post Code									
Telephone Number					Mobile Number					
E-mail Address										

Notes for Guidance

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information, which would be relevant to the licensing objectives.
2. The application form must be signed.
3. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, either both applicants or their respective agents must sign the application form.
5. This is the address that we shall use to correspond with you about this application.



**Lancashire
Constabulary**

police and communities together

LICENSING DEPARTMENT

Western Division, Central Police Office, Bonny Street, Blackpool FY1 5RL

Tel: 01253 604073/153

Licensing Service
Blackpool Council
Municipal Buildings
PO Box 4
Blackpool
FY1 1NA

26th March 2015

Dear Sirs

Re: Application to Transfer a Premises Licence, at 26-28 Vance Road, to Mr Derek Littlejohns (previous Falconer)

I am in receipt of an application to transfer the above premises licence to the applicant, Mr Derek Littlejohns. On behalf of the Chief Officer of Police, I make a formal objection to this application.

Since 1999 Mr Littlejohns has been convicted of 4 offences in England and Scotland the last being in 2012, 3 of these convictions relate to Theft offences and the fourth being for criminal damage. The Theft offences are relevant to the Licensing Act.

Since 2000 Mr Littlejohns has also received 4 Police Cautions, 2 again for Theft offences and the remaining 2 both in 2009 for a Drugs offence that being Possession of a Class B substance and a Public Order offence contrary to Section 5 of the Public Order Act.

Although not all of the above are listed as Relevant Offences under the Licensing Act, and they may be spent under the Rehabilitation of Offenders Act, they cause huge concern to the Constabulary, due to the nature and the number of crimes.

In addition to the above the Lancashire Constabulary Intelligence system holds information which links Mr Littlejohns to matters pertaining to the Supply and Use of Drugs, Child Protection issues and also the Misuse of Alcohol and its provision to underage persons.

With the aforementioned criminal history and intelligence reports, it is our belief that Mr Littlejohns is not a fit and proper candidate to run any licensed premises in the town of Blackpool. Premises Licence Holders wishing to operate in Blackpool should be capable of, and willing to, promote the Licensing Objectives; with the objectives "The prevention

of crime and disorder” and “The protection of children from harm” in mind, it is our opinion that the applicant is neither.

If this application is granted, it is our belief it would seriously undermine the crime and disorder objective and also gravely weaken the status of Premises Licence Holders both within the licensed trade and to members of the public, police and media.

Yours faithfully

PC 3127 Ben Reynolds
pp Chief Superintendent