

## MINUTES OF LICENSING PANEL MEETING - TUESDAY, 18 AUGUST 2015

### **Present:**

Councillors

Hunter

Hutton

Ryan

### **In Attendance:**

Lennox Beattie, Executive and Regulatory Support Manager

Sharon Davies, Head of Licensing Service

### **1 APPOINTMENT OF CHAIRMAN**

The Panel considered the appointment of a Chairman for the meeting.

### **Resolved:**

That Councillor Hutton be appointed Chairman for this meeting.

### **2 DECLARATION OF INTEREST - LICENSING**

There were no declarations of interest on this occasion.

### **PROCEDURE FOR THE MEETING**

The Chairman explained the procedure for the meeting including that an equal time limit for thirty minutes had been allocated for all parties.

### **3 APPLICATION FOR A PREMISES LICENCE- LAS IGUANAS**

The Licensing Panel considered an application for a new Premises Licence in respect of Las Iguanas, 66-74 Promenade.

Mr M Phipps, solicitor to the applicant, was in attendance and outlined the application on behalf of the applicant he was accompanied by Mr A Williams (Regional Manager) and Ms K Plumpton (proposed Designated Premises Supervisor). He outlined that the applicant operated 41 premises in various locations across the United Kingdom and had had no issues in any of these premises. He highlighted that there was a significant level of agreement between the applicant and the police regarding conditions but did not accept that all the conditions proposed by the police were necessary and proportionate given the proposed trading pattern of the premises.

PC Lisa Evans and PC Emma Pritchard on behalf of Lancashire Constabulary made representations on the application. They outlined their concerns about the operation of the premises given the crime and disorder being experienced already in the town centre. They emphasised the view that it would undermine the crime and disorder objective if there was not a condition requiring one door supervisor at least after 10pm on Fridays and 3pm on Saturdays until closing.

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The Panel noted that the following conditions had been agreed between the applicant and Lancashire Constabulary:

1. The premises licence will have no effect until the premises are constructed/alterd only in accordance with the appropriate provisions of the local licensing authority and this condition has been removed from the premises licence.
2. The full menu will be available throughout the trading day (subject to a permitted wind down period before the terminal hour of service).
3. The premises shall predominantly be run as a licensed restaurant.
4. A 30 minute drinking up on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.
5. Location to fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment. Any details shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.
6. The premises shall have no fewer than 2 SIA registered door supervisors, only when regulated entertainment takes place, on a Friday, Saturday and Bank Holiday Sunday, as well as any other evening when regulated entertainment takes place after midnight. Their shift will begin no later than 8.00pm finishing no earlier than the closing time of the venue.
7. All door staff shall sign a register when performing duties at the premises. This register is to contain the full names, SIA badge numbers and contact details of that person. Those records are to be made available on request to any relevant authority for the purposes of investigating or preventing crime or apprehending or prosecuting an offender.
8. Other than in the areas designated for drinking and indicated in this application, no person shall be permitted by the designated premises supervisor or persons acting under his/her authorisation to remove alcohol from the premises in an open container.
9. Off sales that have been taken off the area marked on the licensed plan in sealed containers only (Cachaca only).
10. To be a member of Pub Watch or related scheme.
11. Crime prevention poster/material aimed at preventing theft/loss of personal possessions will be affixed/displayed in prominent positions (agreed by both police and management) within the premises.
12. A dispersal policy document is to be drawn up in consultation with police and council officers. Once it is agreed it is to be implemented in full. To include, but not limited to; the monitoring of customers (door) staff, the pre-booking of mini cabs/taxis, orderly dispersal of patrons. This policy shall be reviewed on an annual basis to ensure it is still effective and shall be updated if necessary.
13. Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
14. A refuse store of sufficient size shall be provided.
15. Late night refreshment is restricted to consumption on the premises.
16. A designated, delineated and boarded smoking area will be allocated outside the premises. Suitable receptacles will be provided within this area for cigarette litter. The premises licence holder or nominated person shall ensure that the smoking area is regularly cleaned to ensure that all discarded smoking litter is removed and properly disposed. The premises licence holder or nominated person shall ensure that suitable signage is positioned at exists to request the co-operation of patrons, in particular to make as little noise as possible when leaving the premises.
17. Patrons will be asked not to stand around talking in the street outside the premises or

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any car park; and asked to leave the vicinity quickly and quietly.

18. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours the premises are open to the public.

19. No regulated entertainment to take place outside.

20. The premises licence holder will risk assess the requirement for door supervisors at the premises and shall employ door supervisors in such numbers and at such times as is deemed necessary by the risk assessment. The requirement to provide door supervisors as determined by risk assessment will equally apply in respect of private functions and ticketed events where admission is only permitted by ticket purchases in advance.

21. The seating inside the premises will be provided for at least 80% of the total maximum capacity of the premises as determined by a risk assessment.

22. When ever licensable activities are available at the premises a waiter/waitress service shall be available.

23. At least one personal licence holder will be contactable while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.

24. Another member of staff shall be nominated to act for the DPS in their absence whose identity is known by all staff when such absence occurs.

25. Records of incidents involving the use, and/or detection of drugs shall be maintained and those records shall be available for inspection.

26. Confiscated and found drugs shall be transferred to the police in accordance with procedures agreed with Lancashire Constabulary.

27. No person in possession of a drink in a sealed or unsealed container will be allowed to enter the premises except for the purposes of delivery.

28. An incident book will be maintained in which will be recorded:-

- All incidents of crime and disorder.
- Refused sales to suspected underage and drunken persons.
- A record of any person asked to leave the premises or that are removed from the premises.
- Details of occasions on which the police are called to the premises.
- A record of persons searched on suspicion that drugs are being carried and their reason for such suspicion.
- The book will be available for inspection by a police officer.

29. Any risk assessments carried out by or on behalf of the licence holder which relate to a licensing objective shall be available for inspection by an officer of a responsible authority.

30. All members of staff shall receive suitable training with regard to serving drunks and are to receive regular refresher training at intervals of a maximum of 6 months, records to evidence this will be made available to authorised officer upon request.

31. Any person within the premises who appears to be intoxicated who is behaving in a disorderly manner will be asked to conduct themselves correctly and if they refuse they will be asked to leave the premises and will be escorted off the premises in a calm and appropriate manner.

32. No entertainment of an adult or sexual nature will take place on the premises.

33. A Challenge 21 proof of age policy shall be implemented and adhered to. All staff to have received suitable training in relation to the Challenge 21 proof of age scheme.

Records to evidence this will be made available to an authorised officer upon request.

Any person who looks or appears to be under the age of 21 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:-

- A recognised proof of age scheme accredited under the British Retail Consortiums Proof of

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- Age Standards Scheme (PASS).
- Photo driving licence.
  - Passport.
  - Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.

If no suitable identification is provided the sale of alcohol to them will be refused.

34. All staff involved in the sale of alcohol shall receive suitable training in relation to proof of age scheme to be applied upon the premises. All staff receive regular refresher training at intervals of at least 4 months. Records to evidence this will be made available to officers upon request.

35. Suitable signage will be displayed to specify the Challenge 21 policy is in place.

36. Children under 16 shall vacate the premises by 10.00pm unless partaking in a meal of family function.

37. Any outside seating area is to be clearly defined and separated from the public footpath. A fixed or removable barrier must enclose the outside seating area.

38. CCTV must be installed internally and externally at the premises

The Panel considered carefully the submission by the applicant and Lancashire Constabulary regarding door supervisors but concluded that it was not necessary and proportionate to impose such a condition.

Resolved:

That the application for a Premises Licence in respect of Las Iguanas, 66-74 Promenade be granted subject to the conditions as outlined above.

### 4 APPOINTMENT OF CHAIRMAN

The Panel considered the appointment of a Chairman for the meeting.

**Resolved:**

That Councillor Hutton be appointed Chairman for this meeting.

### 5 DECLARATION OF INTEREST - LICENSING

There were no declarations of interest on this occasion.

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The Panel noted that the following conditions had been agreed between the applicant and Lancashire Constabulary:

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Resolved:

That the application for a Premises Licence in respect of Las Iguanas, 66-74 Promenade be granted subject to the conditions as outlined above.

### Chairman

(The meeting ended Time Not Specified)

Any queries regarding these minutes, please contact:  
Lennox Beattie Executive and Regulatory Manager  
Tel: 01253 477157  
E-mail: lennox.beattie@blackpool.gov.uk