

Public Document Pack

Blackpool Council

17 November 2015

To: Councillors Scott, Singleton and L Taylor

The above members are requested to attend the:

LICENSING PANEL

Thursday, 26 November 2015 at 6.00 pm
in Committee Room B, Town Hall, Blackpool

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 of 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 VARIATION OF A PREMISES LICENCE- MOO BISTRO (Pages 1 - 38)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR THE VARIATION OF A PREMISES LICENCE- Moo Bistro
- c. ANNOUNCEMENT OF THE DECISION FOR THE VARIATION OF A PREMISES LICENCE- Moo Bistro

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 :	26 th November 2015

APPLICATION TO VARY A LICENCE – Moo Bistro

1.0 Purpose of the report:

1.1 To consider an application by Lindsey Whiteside to vary the Premises Licence issued in respect of Moo Bistro, 31-33 Queens Street.

2.0 Recommendation(s):

2.1 The panel is requested to determine the application.

3.0 Reasons for recommendation(s):

3.1 This application must be determined by the Licensing Panel as representations have been received from the Police and Public Health.

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, the application must be considered by the Licensing Panel.

4.0 Background Information

4.1 Moo Bistro, 31-33 Queen Street, has the benefit of a Premises Licence authorising the sale of alcohol, provision of regulated entertainment and late night refreshment until 01.00 hours daily.

4.2 The venue itself has traded under a number of different identities. The licence was revoked in June 2013 when trading as Oggie's Bar. It was then re-licensed as Moo Bistro in June 2014

4.3 The licence was transferred to the current holder on 6th October 2015. At the time of applying for the transfer of the licence, the application for consideration today was also submitted.

4.4 The application requests the following:

1. To extend the hours for the consumption of alcohol and recorded music until 02.00
2. To vary the wording of condition 7 in annexe 2 to read “the provision of food including hot snacks will form a substantial element of the operation of the premises with sufficient furniture and seating provided and set out in such a way that it does not become a high volume vertical drinking establishment
3. Condition 4 in annexe 2 to be varied to state that all staff will be trained to BIIAB level 1 (ARAR) within three months of commencing employment

4.5 There is some confusion over conditions 35, 36 and 37 because although the application form requests the removal of these conditions, the applicant has subsequently stated that they do not wish to remove these conditions. The panel will note that as part of the operating schedule for this application, it has been stated that only over 18s will be allowed on the premises. If this is added as a condition it will conflict with the existing conditions about access to the premises by those under the age of 18.

4.6 **Local policy considerations**

This premises is situated within the town centre saturation area.

4.7 **National policy considerations**

9.12 – The police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that do so would not be proportionate for the promotion of the licensing objectives.

9.42 – 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.

4.8 **Observations**

This licence has the following conditions endorsed:

Annex 1 - Mandatory conditions

- 1 No supply of alcohol may be made under the premises licence -

a) At a time when there is no designated premises supervisor in respect of the premises licence,

or

b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2 Every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.

3 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark, or an ultraviolet feature.

6 The responsible person must ensure that -

(a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:-

a. "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-

i. P is the permitted price,

- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- b. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- c. “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

- 1 No entertainment of an adult nature will take place on the premises.
- 2 On Christmas Eve, New Year's Eve and Bank Holidays the permitted hours for live music, recorded music, late night refreshment and the supply of alcohol may be extended until 03.00 hours the following morning. On such occasions the premises will close to the public one hour thereafter.

- 3 Food will be supplied until 12.00 by way of breakfast, followed by a lunch menu, an afternoon menu and then an evening dinner menu. From 23.00 to close a substantial bistro menu will continue.

Food will be supplied throughout all hours of opening, including when there is music entertainment at the venue.

Food will be served at tables either of a standard dining style or high level tables with stools.

- 4 All staff will be trained to BIIAB level 2 and above.

- 5 The premises are fully soundproofed.

- 6 The primary purpose of the premises will be that of a restaurant / bistro/ cafe serving food, with additional use for pre-arranged events, functions and other entertainment. The sale of alcohol will be ancillary to these uses.

- 7 The provision of food, including full meals and snacks will form a substantial element of the operation of the premises with sufficient furniture and seating provided and set out in such a way that it does not become a high volume, vertical drinking establishment.

- 8 Table seating shall be provided for a minimum of 75% of the maximum capacity on each floor of the premises, save for pre-arranged private functions.

- 9 No customers will be admitted to the premises after midnight. For the avoidance of doubt, this condition shall not apply to those customers who were on the premises prior to midnight, and who exited the premises for the purpose of smoking.

- 10 An authorisation, signed and dated by the Designated Premises Supervisor, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.

- 11 Any ground floor external smoking area must be a clearly defined area with a barrier enclosing customers and adequately supervised. No drinks will be permitted in this area.

- 12 The first floor balcony area should be closed by 9pm.

- 13 CCTV will be installed internally and externally at the premises and will comply with the following:

- i The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system.
 - ii The system will display on any recording the correct time and date of the recording.
 - iii The system will make recordings during all hours that the premises are open to the public.
 - iv The VCR tapes or digital recording will be held for a minimum of 31 days and 28 days respectively after the recording is made and will be made available to the police or any authorised persons acting for a responsible authority for inspection upon request.
 - v The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.
- 14 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay, when requested.
- 15 The Licence Holder or Designated Premises Supervisor will notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.
- 16 Appropriate signs informing customers that CCTV is recording will be displayed in conspicuous positions on the premises.
- 17 Monthly documented maintenance checks of the CCTV system, including the recording system, will be carried out by the Designated Premises Supervisor to ensure that the system is in good working order and fit for purpose.
- 18 The Police Licensing Unit shall be notified on any occasion when the CCTV or radio system is to be inoperative for a period in excess of one working day and a certificate from a competent person shall be provided stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.
- 19 The licence holder is to support and rigorously enforce the Challenge 25 proof of age policy.

Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the

only forms of identification acceptable:

- i. UK photo driving licence
- ii. Passport
- iii. Proof of Age Standards Scheme card.

- 20 All staff are to have received suitable training in relation to the proof of age scheme to be applied upon the premises. All staff are to receive regular refresher training at intervals of a maximum of six months. Records to evidence this will be made available to an authorised officer upon request.
- 21 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. However on the following occasions at least two SIA registered member of door staff will be on duty from 20:00hrs until close:
 - Every Friday and Saturday
 - Bank holiday Sundays, Christmas Eve and New Years Eve
 - When a private function takes place on the premises
- 22 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.
- 23 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 24 At least one personal licence holder will be available 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.
- 25 Another member of staff shall be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.
- 26 An authorisation, signed and dated by the Designated Premises Supervisor, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.
- 27 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 authorised officer.

- 28 The premises shall maintain a drinks policy which complies with any Local Authority resolution made in accordance with approval from the Licensees Forum or any successor body recognised by the Licensing Authority.
- 29 All internal lobbied doors to any entrance/exit point, fire exit doors and external windows shall be closed during hours of any regulated entertainment except in the event of an emergency and save for the purposes of access and egress.
- 30 The premises shall be operated in participation with the "Pubwatch" and "Radiolink" schemes.
- 31 All door staff employed at the entrance/exit of the the licensed premises will wear a reflective jacket/tabard of a design approved by Lancashire Constabulary.
- 32 An incident book will be maintained in which shall be recorded:-
- i All incidents of crime and disorder
 - ii Refused sales to suspected under-age and drunken persons
 - iii A record of any person asked to leave the premises or removed from the premises
 - iv Details of occasions on which the police are called to the premises
 - v A record of persons searched on suspicion that drugs are being carried and the reason for such suspicion
- The book will be available for inspection by a police officer.
- 33 Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry to the venue. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner will be given care and consideration in leaving the venue.
- 34 All staff are to have received suitable training with regard to serving drunks. All staff are to receive regular refresher training at intervals of a maximum of three months. Records to evidence this will be made available to an authorised officer upon request.
- 35 Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.
- 36 Children under the age of 18 years shall not be permitted to remain on the premises unless accompanied by an adult.

37 Children under the age of 16 years shall have vacated the premises by 9pm.

4.9 Does the information submitted include any exempt information? No

4.10 **List of Appendices:**

Appendix 4a: Application

Appendix 4b: Representation from Police

Appendix 4c: Representation from Public Health

Appendix 4d: Email from Mark Marshall submitted on behalf of the applicant

5.0 **Legal considerations:**

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

6.0 **Human Resources considerations:**

6.1 None

7.0 **Equalities considerations:**

7.1 None

8.0 **Financial considerations:**

8.1 None

Blackpool Council

06 OCT 2015

APPLICATION TO VARY A PREMISES LICENCE

Applicant Name(s):

LINDSEY WHITESIDE

Contact

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

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

www.blackpool.gov.uk



Application to vary a Premises Licence under the Licensing Act 2003

Please read the following instructions first:

Before completing this form please read the guidance notes at the end of this 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.

Full name/s of the premises licence holder/s:
1) LINDSEY WHITESIDE.
2)
3)

I/We the premises licence holder/s named above, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1

Premises Licence number:	PL 2001.
---------------------------------	----------

Part 1 – Premises Details

Premises Address	31-33 QUEEN STREET			
	BLACKPOOL			
	Lancashire	Post Code	FY1	1NL
Telephone Number of premises (if any)				
Non-domestic rateable value of premises				

Part 2 – Applicant details

Title:	Miss	Mrs		Ms	Other	Forename(s)	LINDSEY
Surname	WHITESIDE					Date of Birth	[REDACTED]
Home address	[REDACTED]					Post Code	FY14 [REDACTED]
Telephone Number						Mobile Number	[REDACTED]
E-Mail address							

SECOND INDIVIDUAL APPLICANT (If Applicable)

Title:		Mrs		Ms	Other	Forename(s)					
Surname					Date of Birth	Day	Month	Year			
Home address											
						Post Code					
Telephone Number				Mobile Number							
E-Mail address											

A. 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 – Variation

If yes please tick

Do you want the proposed variation to have effect as soon as possible?



If not, when do you want the variation to take effect from?

Day		Month		Year		
0	1	1	0	2	0	15

If your proposed variation would mean that 5,000 or more people could be expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

increase drinking hours, by 1 hour.
 to take ~~light~~ refreshment off the licence
 28.00 - 01.00.
 ATENIGHT 9am till 2am.
 (L)

2nd placeit with Bar snacks
 and also take off live music.

~~Adding Recorded Music + performance of Dance~~
 CHANGING FROM 1AM to 2AM.
 (L)

To Remove conditions

35, 36, 37 on Premises Licence.

Part 4 – Operating Schedule

Please complete those parts of the Operating Schedule below that would be subject to change if this application to vary is successful.

Provision of regulated entertainment:

- a) A performance of a play (if ticking yes, fill in box A)
- b) An exhibition of a film (if ticking yes, fill in box B)
- c) An indoor sporting event (if ticking yes, fill in box C)
- d) Boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) A performance of live music (if ticking yes, fill in box E)
- f) Any playing of recorded music (if ticking yes, fill in box F)
- g) A performance of dance (if ticking yes, fill in box G)
- h) Entertainment of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

If yes please tick

LV

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L, and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place Indoors, outdoors or both – please tick accordingly (Please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variation for performing plays (please read guidance note 4)		
Thu					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please see guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors, outdoors or both – please tick accordingly (Please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variation for the exhibition of films (please read guidance note 4)		
Thu					
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please see guidance note 5)		
Sat					
Sun					

C

Indoor sporting event Standard days and timings (please read guidance note 6)			Please give further details (Please see guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			State any seasonal variations for indoor sporting events (please read guidance note 3)
Thu			
Fri			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (Please see guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors, outdoors or both – please tick accordingly (Please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variation for boxing or wrestling entertainment (please read guidance note 4)		
Wed			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please see guidance note 5)		
Thu					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors, outdoors or both – please tick accordingly (Please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variation for performance of live music (please read guidance note 4)		
Wed			Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please see guidance note 5)		
Thu					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the performance of recorded music take place indoors, outdoors or both – please tick accordingly (Please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon	8 AM	2 AM	Please give further details here (please read guidance note 3)		
Tue	8 AM	2 AM			
Wed	8 AM	2 AM	State any seasonal variation for playing recorded music (please read guidance note 4) AS BEFORE LW 31st DEC 8 AM to 1st JAN 3 AM		
Thu	8 AM	2 AM			
Fri	8 AM	2 AM	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please see guidance note 5)		
Sat	8 AM	2 AM			
Sun	8 AM	2 AM			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors, outdoors or both – please tick accordingly (Please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon	8 AM	2 AM	Please give further details here (please read guidance note 3)		
Tue	8 AM	2 AM			
Wed	8 AM	2 AM	State any seasonal variation for the performance of dance (please read guidance note 4) 31st DEC 8 AM - 1st JAN 3 AM		
Thu	8 AM	2 AM			
Fri	8 AM	2 AM	Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please see guidance note 5)		
Sat	8 AM	2 AM			
Sun	8 AM	2 AM			

H

Anything of a similar description to that falling within (E), (F) or (G) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
			Will this entertainment take place indoors, outdoors or both – please tick accordingly (Please read guidance note 2)		Indoors
			Outdoors		
			Both		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variation for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Wed					
Thu			Non-standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please see guidance note 5)		
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors, outdoors or both – please tick accordingly (Please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variation for the provision of late night refreshment (please read guidance note 4)			
Wed						
Thu			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please see guidance note 5)			
Fri						
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol for consumption be on the premises, off the premises or both (Please read guidance note 7)	On the Premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	9AM	2AM	State any seasonal variation for the supply of alcohol (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	9AM	2AM			
Wed	9AM	2AM			
Thu	9AM	2AM			
Fri	9AM	2AM	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please see guidance note 5)		
Sat	9AM	2AM			
Sun	9AM	2AM			

* ~~9AM 2AM~~
NEW YEAR'S EVE
AS BEFORE
LW

K

Please highlight any adult entertainment or services, activities, other entertainment or matter ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

Hours premises are open to the public			State any seasonal variations (please read guidance note 4)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please see guidance note 5) NEW YEARS EVE 9AM - 3AM . AS BEFORE LW
Mon	8 AM	2 AM	
Tue	8 AM	2 AM	
Wed	8 AM	2 AM	
Thu	8 AM	2 AM	
Fri	8 AM	2 AM	
Sat	8 AM	2 AM	
Sun	8 AM	2 AM	

Please identify those conditions currently imposed on the licence that you believe could be removed as a consequence of the proposed variation you are seeking

35 / 36 / 37 REMOVE ANNEX 2 CONDITION 3, 6, 7

- If yes please tick
- I have enclosed the existing premises licence and summary
 - I have enclosed the relevant part of the premises licence
- If you have not ticked one of these boxes you are required to give your reasons for not including the licence, or any part of it below.

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

LOST SUMMARY

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (See guidance note 9)

Doors closed. sound proof.
CCTV.
Door Supervisors. Friday/SAT 9:30pm till
2AM

LW

b) The prevention of crime and disorder

CCTV
Door supervision.

c) Public Safety

Door Supervision.

d) The prevention of public nuisance

Door supervision.

e) The protection of children from harm

over 18's ONLY.
Challenge 25 in place.
No children.

Licensing Act 2003
Premises Licence

PL2001

ANNEXES continued

- i. UK photo driving licence
 - ii. Passport
 - iii. Proof of Age Standards Scheme card.
- 20 All staff are to have received suitable training in relation to the proof of age scheme to be applied upon the premises. All staff are to receive regular refresher training at intervals of a maximum of six months. Records to evidence this will be made available to an authorised officer upon request.
- 21 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. However on the following occasions at least ~~two~~ ^{one} SIA registered member of door staff will be on duty from ~~20:00hrs~~ ^{21:00hrs} until close:
- Every Friday and Saturday
 - Bank holiday Sundays, Christmas Eve and New Years Eve
 - ~~When a private function takes place on the premises.~~
- Recorded condition 21
LW
- 22 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.
- 23 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 24 At least one personal licence holder will be available 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.
- 25 Another member of staff shall be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.
- 26 An authorisation, signed and dated by the Designated Premises Supervisor, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.
- 27 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 authorised officer.
- 28 The premises shall maintain a drinks policy which complies with any Local Authority resolution made in accordance with approval from the Licensees Forum or any successor body recognised by the Licensing Authority.
- 29 All internal lobbied doors to any entrance/exit point, fire exit doors and external windows shall be closed during hours of any regulated entertainment except in the event of an emergency and save for the purposes of access and egress.
- 30 The premises shall be operated in participation with the "Pubwatch" and "Radiolink" schemes.
- 31 All door staff employed at the entrance/exit of the the licensed premises will wear a reflective

If yes please tick

- I have made or enclosed payment of the fee
- I have sent copies of this application, a copy of the plan and a photocopy of the existing premises licence to responsible authorities and others where applicable
- I understand that I must advertise my application
- I have enclosed the premises licence or relevant part of it or an explanation why not
- 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 5 – Signatures (please read guidance note 10)



Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on the behalf of the applicant please state in what capacity.

Signed	<i>L Whiteside</i>
Print Name	LINDSEY WHITESIDE
Capacity	
Date	02/10/2015

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signed	
Print Name	
Capacity	
Date	

Contact name (where not previously given) and address for correspondence associated with this application. (Please read guidance note 13)

Title:	Mr	Mrs	<u>Miss</u>	Ms	Other		
Forenames	LINDSEY			Surname	WHITESIDE		
Address for Correspondence associated with this application						Post Code	F7 
						Telephone Number	
E-Mail Address							

16th October 2015

Dear Sir,

Variation Application PL2001-

I write further to the application to vary the above premises licence to clarify the request.

The following conditions are to be removed;

(3) As per wording on the existing premises licence.

(4) _____ " _____

(6) _____ " _____

(7) _____ " _____

Suggested Replacements.

Condition 4 to be replaced with;

All staff will be trained to BIIAB level 1 (ARAR) within 3 months of the commencement of employment. All certification for qualified staff will be available on the premises and produced on request to a Police Constable or Authorised Officer.

Condition 7 to be replaced with;

The provision of food including hot snacks will form a substantial element of the operation of the premises with sufficient furniture and seating provided and set out in such a way that it does not become a high volume, vertical drinking establishment.

I don't NOT wish to request the removal of conditions 35, 36, 37 we are content for a condition to be added that "No one under the age of 18 is admitted onto the premises"


L Whiteside

This page is intentionally left blank

Blackpool Council Licensing Service

**Representation made by a Responsible Authority
to an application for the grant / variation of a Premises Licence /
Club Premises Certificate**

Responsible Authority

Name of Responsible Authority	LANCASHIRE CONSTABULARY		
Name of Officer (please print)	PC 4107 Emma Pritchard		
Signature of Officer			
Contact telephone number	01253 604007		
Date representation made	02	11	15
Do you consider mediation to be appropriate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NO

Premises Details

Premises Name	Moo Bistro
Address	31-33 Queen Street
	Blackpool
	Lancashire
Post Code	FY1 1NL

Reasons for making representations

I am in receipt of an application for a Major Variation to the Premises Licence for the above address.

The variation includes increasing the hours for recorded music and the supply of alcohol from 1am to 2am and the requested removal the following conditions are concerning:

3 Food will be supplied until 12.00 by way of breakfast, followed by a lunch menu, an afternoon menu and then an evening dinner menu. From 23.00 to close a substantial bistro menu will continue.

Food will be supplied throughout all hours of opening, including when there is music entertainment at the venue.

Food will be served at tables either of a standard dining style or high level tables with stools.

6 The primary purpose of the premises will be that of a restaurant / bistro/ cafe serving food, with additional use for pre-arranged events, functions and other entertainment. The sale of alcohol will be ancillary to these uses.

7 The provision of food, including full meals and snacks will form a substantial element of the operation of the premises with sufficient furniture and seating provided and set out in such a way that it does not become a high volume, vertical drinking establishment.

On behalf of the Chief Officer of Police, having reviewed the application the Police make formal objections on the following grounds:

Prior to 5th June 2013 this premises was operated as a bar/ high volume vertical drinking establishment and the Police Licensing Department had significant concerns regarding the disproportionate levels of crime and disorder at the premises to the extent that a review of the licence was submitted. Following a hearing the committee revoked the licence.

In consultation with the Police Licensing Department a new licence application for the above premises came into effect on 27th May 2014 with conditions for the premises to be a restaurant/ bistro with provision for live entertainment.

By comparing crimes and incidents reported to the Police during the 17 month period 27/01/2012 – 05/06/2013 (when the premises was operating as a bar) compared to 27/05/2014 – 05/10/2015 (when the premises was operating as a Bistro) it is evident that there has been a 98% decrease in crime and 95% decrease in incidents.

Lancashire Constabulary has significant concerns that crime and disorder will increase if this premises is allowed to remove the requested conditions and increase the licensable hours. This will add to the cumulative impact already being experienced within the Town Centre Saturation Area and would lead to alcohol fuelled crime and disorder and contribute to the stress and further burden on the emergency services.

It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.

N/A



**Lancashire
Constabulary**

police and communities together

WEST BCU

Licensing – Moo Bistro Queen Street

Incidents & Crimes between 27th January 2012 & 5th October 2015

Originator Rachel Freeman West Division Intelligence Analyst

Date 12th October 2015

Dissemination PC 4107 Emma Pritchard West Licensing Dept & Partners

Handling Instructions This report may be circulated within your department in accordance with departmental security instructions (and with caveats that may be included within this report).

Neither the report nor any of its contents may be disseminated further without the prior agreement of the originator(s). This cover sheet must not be detached from the report to which it refers.

This cover sheet MUST NOT be detached from this report.

Government Protective

Marking Grade

RESTRICTED

RESTRICTED

CONTENTS	
AIM	3
PURPOSE	3
SCOPE	3
RECOMMENDATIONS	4
Risk	4
Threat	4
Recommendations	4
ANALYSES	4
Levels of crime & Disorder on Queen Street, Blackpool	4

RESTRICTED

AIM

To provide a comprehensive overview of incidents and offences committed in and around the Moo Bistro 31 – 33 Queen Street, Blackpool. Questions which need to be answered by this report should cover the following topics:

- Level of incidents and crimes.

PURPOSE

The purpose of this report is to inform the Licensing department of the level and nature of issues which occur near or in the Moo Bistro.

SCOPE

This report will be using data captured by the Police between two time periods:

27/01/2012 – 05/06/2013 compared to 27/05/2014 – 05/10/2015 when the venue changed its license conditions.

Crime2 – Police crime recording system

M.A.D.E. – Multi Agency Data Exchange

Command & Control – Police Incident recording system

Particularly of interest are the following incident / crime types:

Anti-social behaviour

Public Order

Assaults

Sexual Offences

Drugs

Thefts

Criminal damage

Collapse / Illness / Injury

RESTRICTED

RECOMMENDATIONS

RISK – To change the use of the venue, changing from Bistro back to a bar could potentially have a negative impact on clients and venues in the Claremont Ward area. Services could potentially see an increase in demand, based on previous crime and incidents captured at the venue.

THREAT – Violent crimes and anti-social incidents could rise by 95%. The Claremont Ward has enjoyed a decrease in crimes, domestic violence, -33%, violence per say -4.3%, damages -2.4%. The fire service have also had a reduction of -3.6%. Changing the use of the venue back into a bar would put extra pressure on these services. The ambulance service has recorded an increase and they would be further stretched.

RECOMMENDATIONS – The Licensing Department in conjunction with Blackpool Council should review saturation levels. There are approximately 16 licensed premises already on Queen Street, is there demand/capacity for another bar?

ANALYSES

LEVELS OF CRIME & DISORDER ON QUEEN STREET, BLACKPOOL

Claremont Ward is the area of the Town Centre which accommodates Queen Street. There are approximately 222 premises licensed to sell alcohol, 55 which are pubs/restaurant or night clubs, 16 on Queen Street itself.

When examining the incidents it is unclear where exactly they have taken place. Sometimes Police communications staff will use a well-known landmark as the location to direct officers to the area, if it isn't initially clear where it has taken place, i.e. an assault on the pavement may be mapped to an exact address, most commonly used is Walkabouts address at 1 Queens Street.

Incidents that may have occurred in the Moo Bar / Bistro could be mapped to the bar itself or could be mapped to another point on the street such as Walkabout. Only from examining the full incident log would it become apparent the exact location.

Crimes however are different; they are mapped to the exact location of where the offence took place.

	Location	Bar 2012/13	Bistro 2014/15	% Change
Crimes	Queen Street	709	607	-14%
	31 - 33 Queen Street	43	1	-98%
Incidents	Queen Street	2151	1799	-16%
	31 - 33 Queen Street	109	5	-95%

From changing the use of the premises from a bar into a bistro has had a significant effect on crime, nuisance and disorder on the street and in the Ward. Crime down -98% (n=42) and incidents down -95% (n=104).

RESTRICTED

Claremont Ward information is in the table below. Although not the same period, further reductions have been recorded in the Ward, of -6.7% for all crime.

	Actual Crimes/Incidents				Rate per thousand population, except for Domestic Burglary which is rate per thousand households				
	Sep 2013 to Aug 2014	Sep 2014 to Aug 2015	Year on Year Diff	Percent Change	Sep 2013 to Aug 2014	Sep 2014 to Aug 2015	Blackpool District Average (September 2014 to August 2015)	Lancashire County Average (September 2014 to August 2015)	
Emergency Service Calls	Calls to the Police	10242	10538	296	2.9%	1369.6	1409.2	555.8	355.7
	Calls to the Ambulance Services	3290	3299	9	0.3%	440	441.2	222.6	146.7
	Calls to the Fire & Rescue Services	170	165	-5	-2.9%	22.7	22.1	12.2	9.5
Crime	Total Recorded Crime	2134	1992	-142	-6.7%	285.4	266.4	100.4	63.3
Personal Safety	Violence Against The Person	738	706	-32	-4.3%	98.7	94.4	29.7	16.5
	Calls to the Police about Domestic Violence	615	410	-205	-33.3%	82.2	54.8	24.5	12
	Calls to the Ambulance Service where violence involved	94	127	33	35.1%	12.6	17	3.6	1.6
	All Drug Offences	107	96	-11	-10.3%	14.3	12.8	3.1	1.9
	Numbers Killed or Serious Injured on the Roads	5	1	-4	-80%	0.7	0.1	0.2	0.3
Property and Place	Serious Acquisitive Crime	164	188	24	14.6%	21.9	25.1	10.5	8.6
	Robbery	27	17	-10	-37%	3.6	2.3	0.6	0.3
	All Burglary	212	161	-51	-24.1%	59	44.8	22.6	19.2
	Domestic Burglaries	73	92	19	26%	20.3	25.6	10.1	7.9
	All Vehicle Crime	67	87	20	29.9%	9	11.6	6.3	6
	Theft of a Vehicle	24	27	3	12.5%	3.2	3.6	1.6	1.3
	Theft from a Vehicle	40	52	12	30%	5.3	7	3.8	3.6
	All Criminal Damage (including Arson)	289	282	-7	-2.4%	38.6	37.7	16.5	10.8
	Deliberate Fires	28	27	-1	-3.6%	3.7	3.6	1.6	1.6
	Deliberate Vehicle Fires	0	0	0	0%	0	0	0	0
Calls to the Police about Anti-Social Behaviour	1699	1916	217	12.8%	227.2	256.2	91.2	53.6	

n/a = Not Available, n/c = Not Calculated

This page is intentionally left blank

Blackpool Council Licensing Service

**Representation made by a Responsible Authority
to an application for the grant / variation of a Premises Licence /
Club Premises Certificate**

Responsible Authority

Name of Responsible Authority	Public Health			
Name of Officer <i>(please print)</i>	Chloe Dobson/ Rachel Swindells			
Signature of Officer	C. Dobson			
Contact telephone number	07990084572/07788353570			
Date representation made	02	11	2015	
Do you consider mediation to be appropriate			NO	

Premises Details

Premises Name	Moo Bistro
Address	31-33 Queen Street
	Blackpool
Post Code	FY1 1NL

Reasons for making representations

The Public Health Department, Blackpool Council, write in reference to the licence variation for the Moo Bistro, 31-33 Queen Street, Blackpool.

The applicant brings this application in full knowledge that this premises is located within Claremont ward which has been subject to the Cumulative Impact Policy (CIP) since 2009 which reviewed in 2013.

Public Health would like to submit a summary representation following a review of local North West Ambulance Service data relating to ambulance callouts to Queen Street from 2012-2015:

- Year 2012 – 289 calls (28 poss domestic addresses)
- Year 2013 – 473 calls (41 poss domestic addresses)
- Year 2014 – 458 calls (61 poss domestic addresses)

The data received demonstrates an increase of 169 incidents from 2012 -2014 during this 3 year period. More comprehensive data, including the number of incidents recorded between the hours of 10pm and 2am, will be available for the hearing.

Public Health therefore has concerns that North West Ambulance Service already has to deal with an increase in callouts to Queens Street, therefore, the provision of another premises where alcohol can be purchased into the early hours could have a negative impact on the an already pressured North West Ambulance Service. Whilst it is understood that the premises already has a premises licence, the design and restrictions of the existing premises licence mean that alcohol is ancillary to the main purpose, which must be food led providing seated meals in an informal dining arrangement. The proposed variation seeks to remove the primary purpose of dinning and replace it with a primary purpose of alcohol sales with food only being an incidental part to the overall operation. We feel that this proposal if granted will quickly see this premises only pay lip service to the food provision and will in practical terms descend quickly into a premise that relies entirely on wet sales. There will be no difference to neighbouring premises that have the same offer and due to the nature of the area and the increased demand on the North West Ambulance Service, as demonstrated above; we have concerns if the variation be granted as requested.

Furthermore, the applicant has not provided any information on how they will uphold the Public Safety objective by providing information on how they will deal with first aid requirements. We would expect to see a staff member who is competent in dealing with minor injuries or illnesses and be in a position to properly brief attending paramedics and lead them safely to an area within the premises where a safe initial assessment can be made.

Public Health would ask the Licensing Committee to consider the potential risks associated with the increase in the availability of another alcohol premises within this Saturation Area in their deliberations as to whether to grant this application.

It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.

N/A

Ryan Unsworth

From: Mark Marshall
Sent: 11 November 2015 15:55
To: 'lord roche'
Cc: Licensing la2003; emma.pritchard@lancashire.pnn.police.uk
Subject: RE: FW: test call

Dear Ian

Further to your request for me to give an overview of my previous dealings with you I can confirm that we have had a professional relationship for approximately 10 years.

In recent years I have found you to be responsive and cooperative and always keen to address complaints or concerns, as with all operators there have been matters that have required your attention but you are always responsive to address issues that have been identified by me on behalf of the Licensing Authority,

My current knowledge of your premises are that they are mainly located and the edges of the town centre area but present little or no concerns .

If I can be of further assistance do not hesitate to contact me.

Mark Marshall
Licensing and Health & Safety Manager
Blackpool Council
01253478493

From: lord roche
Sent: 06 November 2015 14:17
To: Mark Marshall
Subject: Re: FW: test call

i mr marshal id like aref of you ref me ian roche being a licence e in blackpool town center and if you in your department have hade any probs with any ov my bars thanks awaiting your reply thanks ian roche

On Fri, Nov 6, 2015 at 12:33 PM, Mark Marshall <mark.marshall@blackpool.gov.uk> wrote:

Keith.marsden@blackpool.gov.uk

From: Mark Marshall
Sent: 06 November 2015 12:20
To: lord roche
Subject: test call

Hello Mr Roche

Would you like to be kept up to date with Blackpool Council news ? Sign up here - www.blackpool.gov.uk/YourBlackpool <http://www.blackpool.gov.uk/EmailDisclaimer/> This message has been scanned for inappropriate or malicious content as part of the Council's e-mail and Internet policies

<http://www.blackpool.gov.uk/EmailDisclaimer/> This message has been scanned for inappropriate or malicious content as part of the Council's e-mail and Internet policies.
