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Blackpool Council

12 January 2016

To: Councillors Hutton, Singleton and L Taylor

The above members are requested to attend the:

LICENSING PANEL

Tuesday, 19 January 2016 at 5.45 pm
in Committee Room A, 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 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 A TEMPORARY EVENT NOTICE- WALKABOUT (Pages 1 - 14)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR A TEMPORARY EVENT NOTICE- Walkabout
- c. ANNOUNCEMENT OF THE DECISION FOR A TEMPORARY EVENT NOTICE- Walkabout

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 :	18 th January 2016

APPLICATION FOR A TEMPORARY EVENT NOTICE – WALKABOUT

1.0 Purpose of the report:

- 1.1 On 6th January 2016, the Licensing Service was served with a Temporary Event Notice submitted by Mr Nick Kyriakou on behalf of Walkabout, Queen Street. This notice relates to the sale of alcohol and provision of late night refreshment 02.00 – 06.00 hours on 4th April 2016, the event being the showing on television of Wrestlemania 2016.
- 1.2 The Police has objected to this event taking place on the ground of preventing crime and disorder. They have however indicated that they would be happy with the event going ahead if conditions already on the premises licence are attached to the Temporary Event Notice. A hearing is therefore required to determine whether conditions should be added.

2.0 Recommendation(s):

- 2.1 The panel is requested to consider the objection and agree to add the conditions requested by the Police to the Temporary Event Notice.

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 a Temporary Event Notice is submitted and objections received it must be considered by a Licensing Panel.

4.0 **Background Information**

4.1 **Local policy considerations**

None.

4.2 **National policy considerations**

Section 7 – Temporary Event Notices is relevant

The system of permitted temporary activities is intended to be a light touch process where notice is given by the premises user that they intend to carry out specified activities. The Police and Environmental Health team have three working days to object to the notice on the basis of any of the four licensing objectives.

4.3 **Observations**

The Police has indicated that they would be happy for the event to go ahead if the conditions from the Premises Licence listed in their objection are added to the Temporary Event Notice. The applicant has indicated that he is happy for these conditions to be added but this can only be done by a Licensing Panel at a hearing. The panel can only add existing conditions from the Premises Licence.

4.3 Does the information submitted include any exempt information? No

4.4 **List of Appendices:**

Appendix 4a: Temporary Event Notice

Appendix 4b: Objection 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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Blackpool Council

06 JAN 2016

APPLICATION FOR A TEMPORARY EVENT NOTICE

Applicant(s) Name:

Walkabout Blackpool

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



Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) Nick Kyriakou
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	Day <input type="text"/>
4. Your place of birth	Sydney
5. National Insurance Number	<input type="text"/>
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
1-9 Queen Street	
Post town	Blackpool
Post code	FY1 1NL
7. Other contact details	
Telephone numbers	01253 749132
Daytime	
Evening (optional)	
Mobile (optional)	<input type="text"/>
Fax number (optional)	
E-Mail Address (if available)	walkaboutblackpool@walkaboutbars.com
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Post code

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2. The premises

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)
(Please read note 2)

1-9 Queen Street
Blackpool
Lancashire
FY1 1NL

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	PL0570
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Club premises certificate number	
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If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

whole venue

Please describe the nature of the premises below. (Please read note 4)

Bar / late night venue

Please describe the nature of the event below. (Please read note 5)

Wrestlemania 2016

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	
4 th April	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)	
02:00 - 06:00	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	
499	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (Please read note 12)

4. Personal licence holders (Please read note 13)	
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	Pentlands
Licence number	136
Date of issue	2005
Date of expiry	2015
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 14)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year	4	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 15)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 16)	
I shall (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to	<input type="checkbox"/>

each additional chief officer of police	
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application (£21)	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.


9. Declarations (Please read note 18)

The information contained in this form is correct to the best of my knowledge and belief.


I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	6/1/16
Name of Person signing	Nick Kyriakou

For completion by the licensing authority

10. Acknowledgement (Please read note 19)	
I acknowledge receipt of this temporary event notice.	
Signature	 On behalf of the licensing authority
Date	6/1/16
Name of Officer signing	S.E. HAWLEY
Official Stamp	Licensing Services Blackpool Council Municipal Buildings PO Box 4 Blackpool FY1 1NA

Blackpool Council Licensing Service
Objection made by Lancashire Constabulary
to a Temporary Event Notice

Responsible Authority **Lancashire Constabulary**

Name of Officer *(please print)* PC 4107 Emma Pritchard

Signature of Officer *EPritchard*

Contact telephone number 01253 604007

Date representation made 08 01 16

Do you consider mediation to be appropriate YES

Premises Details

Premises Name **Walkabout**

Address 1-8 Queen Street
Blackpool

Post Code FY1 1NL

Reasons for objecting

I am in receipt of a Temporary Event Notice at the above premises for the sale of alcohol, the provision of entertainment and the provision of late night refreshment, from 2am to 6am on a Monday morning, 4th April 2016. This is to cover the showing of live TV coverage of a sporting event, Wrestlemania.

Wrestling matches increase the risk of crime and disorder due to the high-adrenaline nature of the sport, hence the actual activity on the premises (as opposed to TV coverage) being licensable in itself. This, coupled with the supply of alcohol, and the very late hour at which the coverage is to be shown, causes great concern for the Constabulary.

Not only will viewers be exposed to a high adrenaline atmosphere, they will also be more likely to have already had alcoholic drinks leading up to the fight, and the provision of alcohol continuing until 6am will exacerbate drunkenness and noise nuisance complaints, with a risk of crime and disorder due to all of the above combined.

The Temporary Event Notice makes no mention of any measures by which there will be an attempt to minimise noise nuisance, control numbers, or prevent excessive drunkenness. There is no provision of door staff in the application.

Therefore Lancashire Constabulary wishes to object to the Temporary Event Notice as it stands, however if the below conditions were added to this temporary event notice the Police believe that the licensing objectives will be upheld and the Police would no longer object.

The Police recommend to the Panel that a Counter Notice be served by the Licensing Authority unless the following restrictions or requirements can be imposed by condition.

1. 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

2. Noise from any regulated entertainment, mechanical ventilation and refrigeration plant should be inaudible at premises within close proximity.

3. All doors and windows should be closed during hours of any regulated entertainment, except in the case of an emergency.

4. All staff to have received suitable training in relation to the proof of age scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request.

5. 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.

6. Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.

7. All door staff employed at the entrance / exit of the licensed premises will wear a reflective jacket/tabard of a design approved by the Lancashire Constabulary.

8. The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities.

9. 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 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. This does not include occasions where single cameras are not working and are in the process of being replaced but relates to the entire system being significantly defective/out of use.

10. The Radiolink equipment will be 'live' and will be monitored by the Head Doorman or another responsible person while the licensed premises are open for business.

11. At least one personal licence holder will be available on the licensed premises 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.

12. The premises shall be operated in participation with the 'Pubwatch' and 'Radiolink' schemes.

13. Adequate first aid provision is available at all times to include having at least one trained first-aider on the premises at all times the premises are being operated.

14. Risk assessments carried out by or on behalf of the licence holder which relate to a licensing objective will be available for inspection by an officer or a Responsible Authority.

15. The premises shall maintain a drinks pricing policy which complies with any Local Authority resolution made in accordance with approval from the Licensees Forum or any successor liaison body

recognised by the Licensing Authority.

16. Where there is reasonable suspicion that drugs are being carried, the licensee shall ensure that the outer clothing, pockets and bags of those entering the venue are searched by a trained staff member of the same sex.

17. Clearly visible notices, in a form prescribed by the Council, shall be displayed advising those attending that 1. It is a condition of entry that customers agree to be searched and 2. Police will be informed if anyone is found in possession of controlled substances or weapons.

18. Security arrangements are sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas.

19. Any customers known to have been previously convicted of committing criminal offences relating to drugs shall be excluded from the premises.

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

21. Confiscated and found drugs shall be stored, disposed, transferred in accordance with procedures agreed with the Lancashire Constabulary.

22. During the final hour of daily trading appropriate announcements are made or images are projected to remind patrons of the need to leave the premises without causing annoyance, nuisance or disturbance to local residents and to advise patrons of any taxi free-phone or collection arrangements available upon the 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. No customers will be admitted to the premises after 03.00 hours. For the avoidance of doubt, this condition shall not apply to those customers who were on the premises prior to 03.00 hours, and who exited the premises for the purpose of smoking.

25. With the exception of bottled beers, wine bottles or jam jars, all alcoholic drinks will be served in polycarbonate or other appropriate non-glass vessels after 22:00.

26. If the outside terrace is used as a smoking area there will be a minimum of one SIA registered security staff in this area at all times until the premises is closed. This area is subject to a risk assessment with consideration of further door supervisors.

27. No drinks should be taken onto the outside terrace.

28. An electronic/computerised ID monitoring system should be used at each point of entry.

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