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Blackpool Council

21 October 2016

To: Councillors Humphreys, Hunter and Mitchell

The above members are requested to attend the:

LICENSING PANEL

Monday, 31 October 2016 at 11.00 am in Committee Room A, Town Hall, Blackpool

AGENDA

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 TO VARY THE DESIGNATED PREMISES SUPERVISOR - Q'S SPORTS LOUNGE (Pages 1 - 20)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION TO VARY THE DESIGNATED PREMISES SUPERVISOR- Q's Sports Lounge, Lytham Road
- c. ANNOUNCEMENT OF THE DECISION FOR THE APPLICATION TO VARY THE DESIGNATED PREMISES SUPERVISOR- Q's Sports Lounge, Lytham Road

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 :	31 October 2016	

APPLICATION TO VARY THE DESIGNATED PREMISES SUPERVISOR - Q's Sports Lounge

1.0 Purpose of the report:

1.1 To consider an application to vary the designated premises supervisor at Q's Sports Lounge, 249-255 Lytham Road.

2.0 Recommendation(s):

2.1 The panel are requested to consider the variation application and determine whether the granting of this licence variation would adversely impact on the crime prevention objective.

3.0 Reasons for recommendation(s):

- 3.1 Objections have been received therefore there must be a hearing to determine the application.
- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council?
- 3.2b Is the recommendation in accordance with the Council's approved Yes budget?
- 3.3 Other alternative options to be considered:

None, once an objection has been received to a variation of Designated Premises Supervisor the application must be considered by the Licensing Panel.

4.0 Background Information

4.1 On 21 September 2016, the Licensing Service received an application from Q's Blackpool LLP to vary the Designated Premises Supervisor at Q's Sports Lounge, 249-255 Lytham Road by naming Daniel Robert Thomson as Designated Premises

Supervisor, the previous Designated Premises Supervisor having resigned on 19 September 2016. A copy of the application is attached at Appendix 4a.

4.2 An objection has been received from Lancashire Constabulary. A copy of the objection is attached at Appendix 4b.

4.3 Local policy considerations

None

4.4 National policy considerations

4.26 – The Police may object to the designation of a new DPS where in exceptional circumstances they believe that the appointment would undermine the crime prevention objective.

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.

4.5 **Observations**

None

4.6 Does the information submitted include any exempt information?

No

4.7 **List of Appendices:**

Appendix 4a: Application

Appendix 4b: Objection from Lancashire Constabulary

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

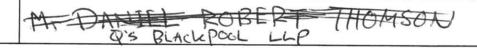
- 8.0 Financial considerations:
- 8.1 None



Blackpool Council

APPLICATION TO VARY THE DESIGNATED PREMISES SUPERVISOR

Name of Licence Holder(s):





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 5

Application to vary a premises licence to specify an individual as Designated Premises Supervisor 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) DANIEL ROBERT THOMSON 2) QS BIACKPOOL LLP 3)			

I/We the premises licence holder/s named above, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises Licence number:	
PL1314	

Part 1 - Premises Details

Premises	BAR/CLUB
Name &	Q'S SPORTS LOUNGE, 249-255 LYTHAM ROAD
Address	BLACKPOOL Post Code F y 1 6 E \$
Telephone Number	01253 346\$78 Mobile Number
E-Mail Addre	ess
	of promises (places road quidance note 1)

Description of premises (please read guidance note 1)

POOL & SNOOKER Hall/CLUB

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Please give the full name of the proposed Designated Premises Supervisor							
Title:	Mr Mrs	Miss Ms Oth	er				
Surname		THOMSON	Forenames DANIEL, ROBERT				
State any pre	vious names	Please Tick					
They are 18 y	They are 18 years old or over Yes No Their Date of Birth						
Home	ì						
Address	BL-	ACKPOOL					
			Post Code FY4				
Telephone Number		_	Mobile Number				
E-Mail Add	ress						
Personal Lic	ence Number	7	PA4758				
Expiry Date:			NA.				
	Name and address of the issuing Authority of the Personal Licence: BLACK POOL COUNCIL						
	Full name o	f the existing desig	nated premises supervisor (if any)				
Surname		Bowman	Forenames Karl				
I would like this application to have immediate effect under section 38 of the Licensing Act 2003 If yes please tick							
I have enclosed the premises licence and summary.							
If you have not enclosed the premises licence or the relevant part of it, you are required to give reasons why not:							
Reasons why I have failed to enclose the premises licence or the relevant part of it.							
Waiki	Waiting on previous owner to send in.						
Page 7							

Part 2 continued:

rait 2 continueu.					
		If yes please tick			
I have made or enclosed payment of	the fee (£23)				
I will give a copy of this application to	the Chief Officer of Police				
 I have enclosed the consent form con premises supervisor 	mpleted by the proposed				
 I have enclosed the premises licence why not 	e and summary or have given reasons				
I will give a copy of this form to the expression of the expr	xisting premises supervisor, if any				
 I understand that if I do not comply w my application will be rejected 	rith the above requirements				
IT IS AN OFFENCE, LIABLE ON CONVICT STANDARD SCALE, UNDER SECTION 15 STATEMENT IN OR IN CONNECTION WIT	8 OF THE LICENING ACT 2003 TO				
Part 3 – Signatures (please read guida	nce note 2)				
Signature of applicant or applicant's solic guidance note 3). If signing on behalf of the signing on behalf of the signing on behalf of the significant of the signif					
Signature:	D.A.				
Capacity:	HANGE OWNER	>			
Print Name:	Mr DANIEL THOMS	SON			
Date:	19.09.16				
For joint applications signature of 2 nd appartments agent (please read guidance no state in what capacity.	plicant or 2 nd applicant's solicitor o ote 4). If signing on behalf of the ap	r other plicant please			
Signature:					
Capacity:					
Print Name:					
Date:					

Contact name (where not previously given) and address for correspondence associated with this notice (please see guidance note 5).

Full Name:	DANIEL ROBERT THOMSON
Contact Address:	249-255 LYHNAM rd, BLACKPOOL FY16ET
Telephone number:	01253 346578
Email address:	

Guidance notes

- 1. Describe the premises. For example the type of premises it is.
- 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, the 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.





LICENSING DEPARTMENT

West Division, Western Divisional HQ, Bonny Street, Blackpool FY1 5RL Tel: 01253 604073 / 604153

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

23rd September 2016

Dear Sir/madam

Re: Application to Vary a DPS, Qs Sports lounge, Blackpool, to MR DANIEL THOMSON

I am in receipt of an application for a DPS variation at Q's Sports Lounge, Lytham Road, Blackpool, to Mr Daniel Thomson. On behalf of the Chief Officer of Police, I make a formal objection to this application.

Police had cause to visit the premises on 17th September following reports from young females that a male who has told them he is the owner of Qs snooker club called 'Danny' is letting them in after closing and supplying them with alcohol and drugs. One female ended up requiring hospital treatment. According to police and council records the DPS and Premise Licence Holder was listed as Mr Karl Bowman.

Police arrived after hours and the door was locked. A male came to the door and identified himself as Daniel Thomson and claimed he had been running the premises since April 2016 when Mr Karl Bowman left. This means that for five months Mr Thomson hasn't informed the Council, police or any responsible authority that he is the DPS of the premises. The only reason the application has come in now is that police contacted Mr Bowman and informed him of the situation leading him to resign as DPS.

Full details of the visit can be found in the attached sheet but in summary, whilst present two males who were non-members were still drinking and two 17year old females turned up banging on the door stating their phone had been left inside. There were also issues with the day to day running of the premises in that there was not a 'non-members signing in book' and Mr Thomson wasn't aware of the conditions on the licence in relation to non-members. Mr Thomson was given suitable advice regarding sorting out the licence and warned not to let these females into the premises.

A further investigation was then made by officers later that night after the females in question had reported that Mr Thomson had invited them back to them club after police had left giving them alcohol and drugs. Both females were taken to hospital that night. Although no formal charges are being made against Mr Thomson this matter was investigated by Blackpool CID and DC Mark Hartley from Child Protection Unit has seen for himself messages sent from Mr Thomson' mobile to these females inviting them round drinks and asking for mobile number of their friend. Some of these texts were made between 04:00-05:00hours.

Due to these reports Q's Sports Lounge has been served with a Community Protection Warning from Community Safety Officer at Blackpool Council due to the concerns police and council have with the activities at Q's Sports Lounge.

If this application is granted, it is our belief it would seriously undermine the crime and disorder objective and also will put children at risk from harm. Also seriously undermine the status of Designated Premises Supervisors both within the licensed trade and to members of the public, police and media.

Yours faithfully

PS1747 Helen Parkinson pp Chief Superintendent



Licensing File Note

Premises : Q'S SPORTS LOUNGE, LYTHAM ROAD,

BLACKPOOL

Information/Complaint: CONCERNS RAISED REGARDING UNDERAGE

DRINKING AFTER HOURS

Log/Crime Number : LC-20160918-0167

Date premises visited: 17/09/2016

Persons Spoken to : DANIEL THOMSON

Action Taken: ATTENDED QS AT 23:30 AFTER RECEIVING INFORMATION THAT THE DPS WAS ALLOWING 17YEAR OLD GIRLS INTO THE PREMISES AFTER CLOSING AND GIVING THEM DRINK AND DRUGS RESULTS IN ONE REQUIRING HOSPITAL TREATMENT.

ON ARRIVAL THE FRONT DOOR WAS LOCKED BUT A LIGHT WAS ON UPSTAIRS. AFTER KNOCKING A MALE CAME TO THE WINDOW AND SAID THE DPS WAS COMING DOWN. THERE WAS A CONSIDERABLE DELAY BEFORE DANIEL THOMSON ANSWERED THE DOOR. HE IDENTIFIED HIMSELF AS THE DPS. POLICE AND COUNCIL RECORDS SHOWED A MALE CALLED KARL BOWMAN AS DPS BUT DANIEL STATED THAT HE LEFT IN APRIL AND HE HAS BEEN IN CHARGE SINCE AND SHOULD BE SHOWN AS DPS.

WE ENTERED THE PREMISES AND WENT UPSTAIRS. IT WAS 23:45 BY THIS TIME. THERE WERE TWO MALES INSIDE SAT AT THE BAR FINISHING OFF DRINKS. ON BEING ASKED THEY CONFIRMED THAT NEITHER WAS A MEMBER OF THE CLUB.

WE CHALLENGED THOMSON ABOUT INFORMATION THAT HE HAD BEEN LETTING YOUNG GIRLS IN AFTER HOURS AND SERVING THEM ALCOHOLIC DRINKS, HAVING LOCK-INS. HE DENIED THIS STATING HE HAS NEVER HAD A LOCK IN AND IS USUALLY HOME AS SOON AFTER 11PM AS HE CAN AND DOESN'T KNOW ANYTHING ABOUT YOUNG GIRLS BEING INSIDE

AS WE WERE SPEAKING THERE WAS LOUD BANGING ON THE DOOR OUTSIDE. PC PRITCHARD WENT TO THE WINDOW AND SAW 2 YOUNG FEMALES OUTSIDE THEY WERE DEMANDING THEIR MOBILE PHONE THAT WAS INSIDE. THOMSON CAME BACK UPSTAIRS AND STATED THAT SOME GIRLS WHO WERE IN THE PREMISES EARLIER WITH THEIR BOYFRIENDS HAD LEFT THEIR PHONE INSIDE.

DUE TO THE PREVIOUS INFORMATION WE HAD RECEIVED. I TOOK THE PHONE AND WENT TO SPEAK TO THE TWO FEMALES WHO WERE

ACROSS THE ROAD IN KFC BY THIS POINT. THE PHONE WAS CONFIRMED AS BELONGING TO THEM. BOTH GIRLS WERE CONFIRMED AS BEING 17 YEARS OLD. THEY STATED THEY HAD GONE IN TO CHARGE THEIR PHONE AND HAD ONLY BEEN IN THERE FOR ABOUT 10 MINUTES WHEN THERE WERE FORCED TO LEAVE BY THE BACK DOOR DUE TO POLICE TURNING UP AT THE FRONT DOOR AND THAT'S WHY THEY HAD LEFT THE PHONE INSIDE. THIS CORRESPONDS WITH THE DELAY IN OPENING THE FRONT DOOR TO POLICE AS IT DID TAKE SEVERAL MINUTES.

THE PHONE WAS RETURNED TO THEM AND GIRLS WERE ADVISED TO GO HOME. ON RETURNING TO THE PREMISES THOMSON WAS CHALLENGED ABOUT WHY HE HAD THEIR PHONE. HE CHANGED HIS INITIAL EXPLANATION AND STATED THAT HE LET THEM IN THE PREMISES AT 22:35 AS THEY WANTED TO CHARGE THEIR PHONES. HE ALLOWED THEM IN AS HE RECOGNISED THEM AS GIRLFRIENDS OF MEMBERS BUT COULDN'T GIVE THE MEMBERS DETAILS. HE CONFIRMED THE GIRLS THEMSELVES WERE NOT MEMBERS AND WE INFORMED HIM THAT BOTH WERE JUST ONLY 17 YEARS OLD SO SHOULD NOT BE ALLOWED IN. THE GIRL'S PHONE ONLY HAD 8% BATTERY WHEN IT WAS RETURNED INDICATING THEY HADN'T BEEN IN THE PREMISES LONG. HE WAS TOLD NOT TO LET THEM IN ON THEIR OWN AGAIN.

ONCE THE PHONE WAS RETURNED AND THE GIRLS AND TWO CUSTOMERS WERE SENT AWAY WE SPOKE TO THOMSON INSIDE THE PREMISES. THOMSON AGAIN CONFIRMED HE HAD BEEN IN CHARGE SINCE APRIL WHEN KARL BOWMAN LEFT, HE THOUGHT THE PAPERWORK HAD BEEN COMPLETED BY HIS PARTNER PHILIP HUGHES BUT WE CONFIRMED THAT IT HADN'T. WHEN GOING THROUGH THE CONDITIONS IT WAS POINTED OUT THAT THERE WAS NO 'NON-MEMBERS BOOK' IN USE TO SIGN IN ANY GUESTS AND THAT GUESTS MUST BE PAID FOR BY THE CURRENT MEMBER THEY ARE A GUEST OF. THOMSON WAS NOT AWARE OF THIS. THERE WAS NOT A COPY OF THE LICENCE IN THE PREMISES AND CLEAR HE WASN'T AWARE OF THE CONDITIONS ON IT. ALTHOUGH IT IS NOT A CONDITION ON THE LICENCE, THE CCTV HAD RECENTLY BEEN REMOVED. THOMSON SAID IT WAS TO UPDATE IT BUT HAD NO IDEA BY WHO OR WHEN THAT WAS BEING SORTED. THOMSON ALSO ASKED HOW HIS CONDITIONS WORK IN RELATION TO VISITING POOL AND SNOOKER TEAMS AS COMPETITION IS A PROMINENT FEATURE OF THE CLUB. WE AGAIN POINTED OUT THE CONDITION THAT AS THEY ARE BONA FIDE GUESTS OF THE HOME TEAMS THEY SHOULD BE SIGNED IN AND DRINKS PAID FOR AT THE HOME TEAM'S EXPENSE.

IT WAS THEN STRONGLY RECOMMENDED THAT IF THIS ISN'T PLAUSIBLE THAT HE CONTACT THE COUNCIL TO CLARIFY AND LOOK AT SUBMITTING A VARIATION TO THEIR LICENCE.

THOMSON STATED THAT HE WAS NOW CLOSING UP AND GOING HOME. POLICE LEFT AT APPROX. 00:40HOURS

Officer: PS 1747 PARKINSON

Further Action Required Yes

If 'Yes' Indicate details SERIOUS CONCERNS HOW THE PREMISES IS RUN. FURTHER VISITS TO BE MADE AND CONDITIONS TO BE CHECKED. CONTACT TO BE MADE WITH KARL BOWMAN REGARDING RESIGNING AS DPS IF NO LONGER AT THE PREMISES. CHECK NEW DPS APPLICATION HAS BEEN SUBMITTED LIAISE WITH CID IN RELATION TO CONCERNS WITH YOUNG FEMALES.





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WITNESS STATEMENT Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B					
URN					
Statement of: Mark Christopher HARTLEY					
Age if under 18: O'18 (if over 18 insert 'over 18') Occupation: Detective Constable.					
This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.					
Signature: (witness) Date: 02/10/2016					
Lam DC 2448 Mark Christopher Hartley of Lancashire Constabulary, currently seconded to the Awaken, Child					

I am DC 2448 Mark Christopher Hartley of Lancashire Constabulary, currently seconded to the Awaken, Child Sexual Exploitation (CSE) investigation team. This team is based within the public protection unit at Blackpool. The role of our team is to investigate concerns and criminal activity relating to the sexual exploitation of young people within the Blackpool and Fylde area. We are a multi-agency team, with police, children's social care workers, health and education working together to effectively minimise risk to young people.

Information was provided to our team which indicated that young females were visiting a sports bar, called Q's on Lytham Road, Blackpool. This information stated that several young females were attending the bar for "lock ins", the serving of alcohol after hours and illegal drugs were being made available. The information also stated that a male called Danny, aged late twenties was the person encouraging this behaviour.

As a result of this information being presented to our team a discussion was undertaken by managers and I was requested to conduct a joint police and children's service inquiry; in order to speak to two young females, aged 17. For the purpose of CSE any young person under 18 years of age is a potential victim of CSE; the definition being,

'Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability'. 1

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/500097/HO_DfE_consultation_on_definition_of_c hild_sexual_exploitation - final.pdf

NB – this definition is currently being reviewed - https://www.gov.uk/government/consultations/statutory-definition-of-child-sexual-exploitation

Signature......Signature Witnessed by

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On 21st September 2016, I visited two females know to the Awaken team called A and B. At the time of visiting the girls I was in company with Lauren Alergant, children's services social worker. During a discussion with A and B; both stated that they had visited "Q's" and also named a separate female called C. All of the females are 17 years of age.

A informed me that she had visited the venue and met with a male called Danny Thompson, who she thought was about 24. She also stated that this person was in charge of the venue and that he had provided her and a friend, C with alcohol. A also disclosed that this male had produced some tablets, which he then crushed and she believed that he had put in her drink. She did not see this, but stated that afterward she felt very strange and ended up in hospital.

As a result of this incident spoken of by A, two police crime reports have been submitted relating to sexual assaults. The suspect is named as Daniel Thompson, b.07/08/1985 of 229 St Annes Road, Blackpool, FY42BL.

WA1614520

WA1614521

B then produced her mobile telephone and began explaining that this male, Danny had been texting her, even though she did not know how he had got hold of her number. B read out a number of messages, which she believed were from Danny. Contained within the messages were references to "Are you coming for free drinks". This was a persistent message, sent on numerous occasions; I believe B read out the message "free drinks" on at least five separate times. B also indicated that Danny had been particularly keen for her to make contact with C, who is 17 years of age for him and asking her whether C would be coming with them.

B also explained that the messages from Danny were sent at various times of day and night and that she had been ignoring him. She stated that he was messaging her at close to 4am in the morning, asking her if she, A and C were coming to the club. She read out several similar messages, which she indicated were from around this time in the morning.

A and C had both reported the sexual offences, stating that Danny was responsible, although did not wish to pursue formal complaints against him.

Daniel Thomson was visited at Q's venue, Lytham Road at about 15:30 on 21/09/2016 by DC 669 Lee (Awaken CSE team) and me. He was spoken to in regard to the information that had been provided by the females involved. He was not formally cautioned.

He stated that he knew the young females involved, although stated that this was because they had boyfriends, who used the club. He denied serving them alcohol or any other substance. He went onto state that he had not picked them up in his car as they had indicated and that he did not kiss / touch, either of them as per the reported crimes.

THOMSON then stated that he had not been the person to contact the girls, although admitted that it was his phone that had been used. He stated that another male, who he had allowed to use his phone, whilst at the venue must have text them. When challenged over that fact that a number of these calls were made in the early

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Page 2



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Form	MG11



hours of the morning, he appeared to be very agitated and unsure, therefore did not make responses.

THOMSON was warned not to have any further contact with the females.

SignatureSignature Witnessed by

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