

## MINUTES OF LICENSING PANEL MEETING - MONDAY, 6 MARCH 2017

### **Present:**

Councillors

Hobson

Hunter

Hutton

### **In Attendance:**

Lennox Beattie, Executive and Regulatory Support Manager

Sharon Davies, Head of Licensing Service

Bernadette Rigby, Democratic Governance Adviser, Blackpool Council

### **1 APPOINTMENT OF CHAIRMAN**

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

Resolved.

That Councillor Hutton be appointed as the Chairman.

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

There were no declarations of interest on this occasion.

### **3 PROCEDURE FOR THE MEETING**

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

### **4 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- OSPREY HOTEL**

The Licensing Panel considered an application to review the Licence in respect of the Osprey Hotel, Charnley Road, Blackpool. The application had been submitted by Health and Safety Enforcement.

Mr Mark Marshall presented the application on behalf of Health and Safety Enforcement. The licence holder, Mr Dinesh Modi, was not present and was not represented.

Mr Marshall explained that the licence had been suspended in September 2014 due to non-payment of fees. This denoted that alcohol could no longer be sold on the premises. In February 2016 during a visit by Health and Safety Enforcement team members it was apparent that the bar in the property was still operational and sales were taking place.

## MINUTES OF LICENSING PANEL MEETING - MONDAY, 6 MARCH 2017

The tenants, Mr and Mrs Nottage, neither of whom were the licence holder, were prosecuted and fined.

Mr Modi, who held the licence for the property, had explained that he had set up a comprehensive tenancy agreement through his Solicitors and had expected the tenants to take over the licence for the property. Mr and Mrs Nottage paid the rent on the property regularly and Mr Modi had had no concerns. Mr Modi did not live in the area and had been travelling abroad during the period in question.

Mr Modi had confirmed to Health and Safety Enforcement that he had terminated the tenancy with Mr and Mrs Nottage in January 2017 and Mr Modi had settled the outstanding licence fees, retaining the licence in his name.

Mr Modi had indicated he was in the process of re-letting the property and had stated his intention to transfer the licence to the new tenants upon completion of the tenancy agreement.

Mr Marshall expressed his opinion that, as a result of Mr Modi's written reassurances, there was no longer any requirement to take action in the case. The property was not currently operational and, once the property was let, Mr Modi was to transfer the licence to the new tenants. Mr Marshall expressed his belief that Mr Modi was unlikely to transgress again.

The Panel decided that the licence should not be revoked, on the understanding that Mr Modi provided written evidence of the transfer of the licence to the new tenants within 14 days of the new tenancy agreement coming into effect.

It was decided that Mrs Sharon Davies, Head of Licensing Services, would write to Mr Modi indicating the Council's intention not to revoke the licence for the Osprey Hotel, Charnley Road, on the understanding that Mr Modi provided written confirmation that the tenancy had started and that the licence had been transferred to the new tenants. Mr Modi was to undertake this within 14 days of the commencement of the tenancy.

The Licensing Panel asked that Mr Marshall and his team make routine checks of the property to ensure the conditions of the licence were upheld.

Resolved:

That the licence in respect of the Osprey Hotel, Charnley Road, should not be revoked, subject to the conditions listed above.

**Chairman**

(The meeting ended 18:15)

## **MINUTES OF LICENSING PANEL MEETING - MONDAY, 6 MARCH 2017**

Any queries regarding these minutes, please contact:  
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