

# Blackpool Council

14 March 2017

To: Councillors Hutton, Maycock and Singleton

The above members are requested to attend the:

## **LICENSING PANEL**

Tuesday, 21 March 2017 at 4.45 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 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 TO REVIEW LICENCES SUSPENDED FOR NON-PAYMENT OF THE ANNUAL FEE** (Pages 1 - 8)

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

**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](mailto:lennox.beattie@blackpool.gov.uk)

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<b>Report to:</b>	<b>Licensing Panel</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Services
<b>Date of Meeting :</b>	21 March 2017

## **APPLICATION TO REVIEW LICENCES SUSPENDED FOR NON-PAYMENT OF THE ANNUAL FEE**

### **1.0 Purpose of the report:**

1.1 To consider an application from the licensing authority to review 18 licences that have been suspended for non-payment of the annual fee.

### **2.0 Recommendation(s):**

2.1 The panel is requested to determine the review applications.

### **3.0 Reasons for recommendation(s):**

3.1 The applications must be determined by a Licensing Panel.

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 review has been submitted it must be considered by a Licensing Panel.

### **4.0 Background Information**

4.1 The holder of a Premises Licence is required to pay an annual fee to the Licensing Authority, the first payment being due on the anniversary of the grant of the licence. If an annual fee remains unpaid 21 days after it becomes due then the licence is suspended. The panel should be aware that this power to suspend the licence was only given to licensing authorities in 2012. Prior that date failure to pay the annual fee had no impact on the status of the licence.

- 4.2 Approximately six weeks before an annual fee becomes due the Licence Holder is sent a letter reminding them that the fee is due, the amount required, and the date that the licence will be suspended if payment is not made efforts are made to contact the Licence Holder by telephone a few days before the licence is due to be suspended. If the amount remains unpaid, the licence is suspended and notification of the suspension is sent to both the Licence Holder and the licensed premises.
- 4.3 Visits by the Licensing Enforcement team have revealed a number of properties which have ceased trading/been converted into residential accommodation and the Licence Holder cannot be contacted to ask them to surrender the licence.
- 4.4 Reviews have been submitted and sent to each of the 18 Premises Licence Holders. In each case the premises licence holder has been sent a copy of the review application, a letter asking them to contact the Licensing Service if they have not received the review application and notification of the hearing date.
- 4.5 **Bon Accord, 23 Crystal Road** – the Licence Holders are Colin and Jacqueline Bradley. The licence was first granted in August 2005 and was suspended for non-payment of the annual fee on 10 September 2012. Since 2013 correspondence addressed to the licence holders have been returned “not known at this address”.

Licensing Officer Dave Verity visited the premises on 18 January 2017 and discovered that it had been purchased and converted into a residential property in 2015.

- 4.6 **Corner House Hotel, 50 Central Drive** – the Licence holder is Sharon Sable. The licence was first granted in October 2005 and was suspended for non-payment of the annual fee on 25 September 2012. The annual fee for this licence has never been paid. In 2008 the Licensing Service were told to expect the surrender of this licence but this never happened. Since 2014 letters addressed to the licence holder have been returned to sender.

The premises was visited on 19 January 2017 by Officer Verity who noted that the building was empty and unoccupied.

- 4.7 **Da Vinci Restaurant, 27-29 King Street** – the Licence Holder is Vincenzo Barbera. The licence was first granted in October 2005 and was suspended for non-payment of the annual fee on 8 October 2012. The annual fee for this licence has never been paid. In 2013 a member of the Licensing Team had a conversation with Mr Barbera who indicated that the premises had closed four years previously. He was advised to surrender the licence but has failed to do so.

The premises was visited on 19 January 2017 by Officer Verity who confirmed that the building is empty and all business signage has been removed from the exterior of the building.

- 4.8 **Henry's Wine Bar, 27 Queen Street** – the Licence Holder is Kevin Saunders. The licence was first granted in September 2005 and was suspended for non-payment of the annual fee on 1 October 2012. The annual fee for this licence has never been paid. Since 2008 correspondence has been returned “addressee gone away”.

Officer Verity visited the premises on 18 January 2017 who reported that it now appears to be flats.

- 4.9 **Mallory Hotel, 340 Queens Promenade** – the Licence Holder is Helen Mansbridge. The licence was first granted in August 2005 and was suspended for non-payment of the annual fee on 24 September 2012. The annual fee for this licence has never been paid. Efforts to contact the licence holder have failed.

The premises was visited by Officer Verity on 18 January 2017. The property has been converted into private residential apartments and is now known as Dales View Apartments.

- 4.10 **New Strathmore Hotel, 3 Withnell Road** – the licence holder is Julie Jones. The licence was first granted in September 2005 and was suspended for non-payment of the annual fee on 25 September 2012. The annual fee was paid until 2011 when the reminder letter was returned “addressee gone away”.

On 20 January 2017 the premises was visited by Officer Verity who found the building to be empty with a large amount of post behind the door. Enquiries with neighbours revealed that the building has been empty for approximately five years.

- 4.11 **Mount Hotel, 47 Withnell Road** – the Licence Holder is Martin Wheeler. This licence was first granted in July 2005 and was suspended for non-payment of the annual fee on 28 August 2012. The annual fee for this licence has never been paid. The Licensing Service spoke to Mr Wheeler in September 2012. He stated that he had sold the property in 2006 and was therefore advised to surrender the licence.

Officer Verity visited the property on 20 January 2017 and discovered that the building is now part of the Bond Hotel next door. Officer Verity established that the building formerly known as the Mount Hotel is accessed through the Bond Hotel and all rooms are now bedrooms. The signage on the building is to be removed.

- 4.12 **Philsden Hotel, 6 General Street** – the Licence Holder is Sandra Openshaw. The licence was first granted in July 2005 and was suspended for non-payment of the annual fee on 13 August 2012. The annual fee for this premises has never been paid. In 2009 someone called to say that the Licence Holder had left in 2009. Attempts to contact her by phone have failed.

A visit on 18 January 2017 by Officer Verity established that this premises is now a private dwelling.

- 4.13 **Quenchers, 277 Devonshire Road** – the Licence Holder is Parasurama Naidu. The licence was first granted in September 2005 and was suspended for non-payment of the annual fee on 11 September 2012. The annual fee for this premises has never been paid. Letters have been returned saying that the addressee has gone away.

Officer Verity visited the premises on 19 January 2017 which is now a butchers shop. The owner has confirmed that alcohol has not been sold there for approximately five years.

- 4.14 **Seaview Private Hotel, 142 Bond Street** – the Licence Holder is Edith Conway. The licence was first granted in September 2005 and was suspended for non-payment of the licence fee on 24 September 2012. The annual fee has never been paid. In 2011 letters were returned “addressee gone away” and attempts to contact the licence holder by telephone in 2012 failed.

Officer Verity visited the premises on 18 January 2017 and established that it has now been converted into two flats.

- 4.15 **Shadowlands Hotel, 22-30 Pleasant Street** – the Licence Holder is Colin Groundwater. The licence was first granted in August 2005 and was suspended for non-payment of the annual fee on 10 September 2012. The annual fee for the premises has never been paid. Letters to the Premises Licence holder have been returned “addressee gone away” since 2010.

A visit by Officer Verity on 19 January 2017 established that this property has been converted into flats.

- 4.16 **Shaftesbury Hotel, 26 Shaftesbury Avenue** – the Licence Holder is Fiona Brookes. The licence was first granted in July 2005 and was suspended for non-payment of the annual fee on 28 August 2012. The annual fee has never been paid. Since 2008 letters have been returned “not at this address”.

Officer Verity visited the premises on 19 January 2017 and spoke to a Mr Guerin who now owns the property. He confirmed that this property has now been converted into lodgings for foreign students and no longer has a bar.

- 4.17 **Meadowcroft Hotel, 136-138 Bond Street** – the Licence Holder is Allan Jones. The licence was first granted in June 2005 and was suspended for non-payment on 6 July 2012. The annual fee was last paid in 2008. Attempts to contact Mr Jones have failed.

The premises was visited by Officer Verity on 25 January 2017. It was established that it has now been converted into two separate residential properties.

- 4.18 **Seaview Hotel, 6 Dean Street** – the Licence Holder is Linda Berry. The licence was first granted in July 2010 and was suspended for non-payment on 13 July 2012. The annual fee was paid in 2011. In July 2012 the licence holder contacted the licensing service to indicate that she was leaving the property and therefore she would not be paying the annual fee. In June 2016 the Licensing Service had contact from Scott Williams discussing a possible transfer application – this was never submitted.

Officer Verity visited the premises on 25 January 2017 and spoke to Scott Williams. He confirmed that the licence holder was no longer at the premises and he had been the lease holder for the last 17 months. Mr Williams also stated that he would be leaving the property in mid-February 2017 due to relationship problems with his partner. Officer Verity noted that there is still a bar at the premises which had shutters in place at the time of the visit, with a small amount of alcohol on a shelf towards the back of the bar which Mr Williams stated was for personal consumption. Mr Williams indicated that when he left the freeholder would be managing the hotel until he found someone else to take on the lease.

- 4.19 **Pizza Zone, 94 Bond Street** – the Licence Holder is Ahmed Jamal. The licence was first granted in March 2013 and was suspended for non-payment of the annual fee on 20 April 2016. The last annual fee was paid in 2015. Attempts to contact Mr Jamal have failed.

Officer Verity visited the premises on 25 January 2017. The takeaway was closed at the time of visit but he noted that whilst the premises still operates as a takeaway it is now known as Hungry Chef's Pitstop.

- 4.20 **Jassong Café, 76-80 Bolton Street** – the Licence Holder is Roy Chadwick. The licence was first granted in January 2007 and was suspended for non-payment of the annual fee on 11 February 2013. The annual fee has never been paid. Attempts to contact Mr Chadwick have failed but there was an article in the Blackpool Gazette in 2007 which indicates that the Café might never have opened.

Officer Verity visited on 25 January 2017 and reports that the property is no longer a café and has been converted into residential accommodation.

4.21 **Best One, 24-30 Bond Street** – the Licence Holder is Mohammed Ali. The licence was first granted in January 2015 and was suspended for non-payment on 11 February 2016.

When Officer Verity visited the premises on 25 January 2017 the property was closed and empty with some windows obscured by bin liners. On 14 February 2017, Mr Ali attended the licensing counter and indicated that he would come in by the end of that week to pay the outstanding fee. At the time of writing the report the annual fee still hadn't been paid.

4.22 **Adlon Hotel, 10 Pleasant Street** – the Licence Holder is Kathleen Hannon. The licence was first granted in September 2005 and was suspended for non-payment on 16 September 2013. The annual fee was last paid in 2012. Attempts to contact the licence holder have failed.

Office Verity visited the premises on 25 January 2017 and spoke to Rinkau Singh who advised that the property was currently being converted into flats.

4.23 **Local policy considerations**

None

4.24 **National policy considerations**

The panel have the following powers:

1. Take no action
2. Modify the conditions of the licence (by adding removing or varying conditions)
3. Exclude a licensable activity from the licence
4. Remove the DPS
5. Suspend the licence for up to three months
6. Revoke the licence.

4.25 Does the information submitted include any exempt information? No

4.25 **List of Appendices:**

None

**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

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