

MINUTES OF LICENSING PANEL MEETING - MONDAY, 28 JANUARY 2019

Present:

Councillors

Humphreys

Hutton

Mrs Scott

In Attendance:

Mr Lennox Beattie, Executive and Regulatory Support Manager

Mrs Sharon Davies, Senior Licensing Solicitor

1 APPOINTMENT OF CHAIRMAN

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

Resolved:

That Councillor Hutton be appointed Chairman for the meeting.

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 time limit of twenty minutes had been allocated for all parties.

4 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- CORNHILL HOTEL

The Licensing Panel considered an application for the review of the Premises Licence in respect of the Cornhill Hotel, 377-379 Promenade. The application for the review of the Premises Licence had been submitted by Health and Safety and supporting representations had been submitted by the Licensing Authority and Lancashire Constabulary.

Mr Marcus Maddock, Public Protection Officer, was in attendance and made representations on behalf of Health and Safety. Mr Maddock highlighted the significant concerns of that responsible authority particularly as regards failure to address the concerns of the fire service or to engage meaningfully with enforcement authorities. Mr Maddock explained that the premises had first become known to Health and Safety due the receipt of a number of complaints in February 2018 and then again in May 2018. Mr Maddock along with colleagues from other responsible authorities had visited the premises and noted a large number of concerns including some that could have represented serious risks to public safety. At this point Mr Maddock had accepted the Licence Holder's statement that the hotel had been in the process and of renovation and had not been accepting guests. Mr Maddock emphasised that he had wished to work with the Licence Holder and so had in advance of issuing Improvement Notices had requested Mr Diamond to draw up an action plan when after more than six weeks such a plan had

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not been submitted ten improvement notices had been issued and the Fire Service had also issued a prohibition notice. Mr Maddock confirmed that to date the notices had not been complied with and that criminal prosecutions were being actively considered. In conclusion Mr Maddock highlighted his concerns about the premises notably that he believed that guest bookings were still being taken while after the notices had been issued. Mr Maddock remained of the view that the failure of the Licence Holder to comply with statutory notices and equally to communicate to with the responsible authorities meant that the guests remained at risk and he urged the Licensing Panel to revoke the Premises Licence.

Mr Lee Petrak, Trading Standards and Licensing Manager, presented representations on behalf of the Licensing Authority. Mr Petrak expressed serious concerns about the operation of the premises and endorsed Mr Maddock's representations. Mr Petrak also expressed concern at the frequent transfer of the Premises Licence into different companies all wholly-owned by Mr Diamond and that this had been done to avoid proper scrutiny of Mr Diamond's operation while the issues of public safety remain unaddressed.

PC Ben Reynolds, Lancashire Constabulary, presented representations on behalf of that organisation. PC Reynolds explained that as well as the concerns already outlined about public safety there were a large amount of police incidents related to the premises- 38 calls in 12 months. PC Reynolds

Mr Alan Diamond, Premises Licence Holder and Designated Premises Supervisor, was in attendance accompanied by Mr Darren Cuddy, potential future licence holder. Mr Diamond highlighted that the premises had deteriorated during a time of personal crisis for himself. Mr Diamond further explained that he wished for Mr Cuddy who was an experienced hotelier's company to take over control of the premises. In response to questions Mr Diamond confirmed that he would continue to control the premises' lease.

The Licensing Panel considered carefully the evidence submitted all parties. It expressed concern as to the serious undermining of the Licensing Objective of Protection of Public Safety. It noted with concern that the works regarding to address the Improvement Notices issued by Health and Safety and the Prohibition Notice issued by the Fire Service had still not been undertaken. It concluded that it had no faith in Mr Diamond to operate the premises in safe manner and that even with conditions or his removal as Designated Premises Supervisor such concerns would still exist. It therefore concluded that the only way to ensure the Licensing Objectives were upheld would be to revoke the Premises Licence for the Cornhill Hotel.

Resolved:

To revoke the Premises Licence in respect of the Cornhill Hotel, 377-379 Promenade.

Chairman

(The meeting ended at 7.05 pm)

Any queries regarding these minutes, please contact:

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