

Additional Evidence for Las Igunas

Comprehensive report of incidents and offences within the Talbot Ward which is the area that the proposed premises is situated.

Article taken from Las Igunas website which states that the business offers a Happy Hour 7 days a week from 10pm to closing time which encourages customers to drink more at the end of an evening.

Statement from Gareth Hill Community Beat Manager for Blackpool Town Centre.

Email conversations between Police and Matthew Phipps solicitor acting for Las Igunas.

Please find all the relevant documents as stated above attached.



**Lancashire
Constabulary**

police and communities together

WEST BCU

Licensing – Promenade / Church Street Blackpool

Incidents & Crimes between 1st July 2014 & 31st July 2015

Originator Rachel Freeman West Division Intelligence Analyst

Date 3rd August 2015

Dissemination West Licensing Dept & Partners

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AIM

To provide a comprehensive overview of incidents and offences committed within the Talbot Ward within the previous year, concentrating on activity within a 0.150km (150mtrs or 164yds) buffer zone of a corner premises 66-74 Promenade to 2-4 Church Street.

Questions which need to be answered by this report should cover the following topics:

- Level of incidents and crimes.
- Alcohol related offending.

PURPOSE

The purpose of this report is to inform the Licensing department of the level and nature of issues which are occur in the boundaries.

SCOPE

This report will be using data captured by the Police between 1st July 2014 and 31st July 2015:

Crime2 – Police crime recording system

M.A.D.E. – Multi Agency Data Exchange

Command & Control – Police Incident recording system

Particularly of interest are the following incident / crime types:

Anti-social behaviour

Public Order

Assaults

Sexual Offences

Drugs

Thefts

Criminal damage

Two boundaries have been used, the Council has provided the boundary of Talbot Ward and I have drawn a 0.150km (150mtr or 164yrd) buffer to focus on activity in the immediate surrounding area

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RECOMMENDATION

There are currently 20 premises within the 0.15km boundary which are licensed to serve alcohol, the majority being public houses or clubs which have door supervisors. Despite this level of door supervisor saturation, this area remains a hotspot for nuisance and disorder.

The restaurant Las Iguanas intends to offer dining and alcohol until 01:30hrs over the weekend period with promotional drinks offers such as 2 for 1 ON HAPPY HOUR COCKTAILS & COOLERS, 12-7PM & 10 TILL LATE ... BUY ONE GLASS OR PITCHER, GET THE SAME ONE FREE.¹

RISK – If the premise opens late for food and alcohol, without suitable door supervision they could potentially attract patrons who have been excluded or ejected from other premises for violent behaviour or thefts. The closing times over the weekend period is 01.30hrs, which is the peak time for nuisance and disorder in this busy area.

THREAT – The premises could become a high demand property, causing considerable expense for all emergency services, this in turn could potentially jeopardize future renewal of the license or the need to review the operating times.

RECOMMENDATION – During main dining times employ a maître d to seat guests, this enables the restaurant control over who they are allowing entry to, prohibiting any potentially disruptive/ criminally intent customers and to spot the early signs of problematic behaviour before escalation.

The premises is large, (between 200 & 300 seated patrons) and situated in a high density area of licensed premises. I would strongly recommend door supervision to be employed for the minimum of the weekend period, Friday to early hours of Sunday morning between the hours of 22:00hrs and 02:00hrs, ensuring patrons leave quietly and safely and directed to taxi ranks and public transport networks.

¹ <http://www.iguanas.co.uk/menus/>

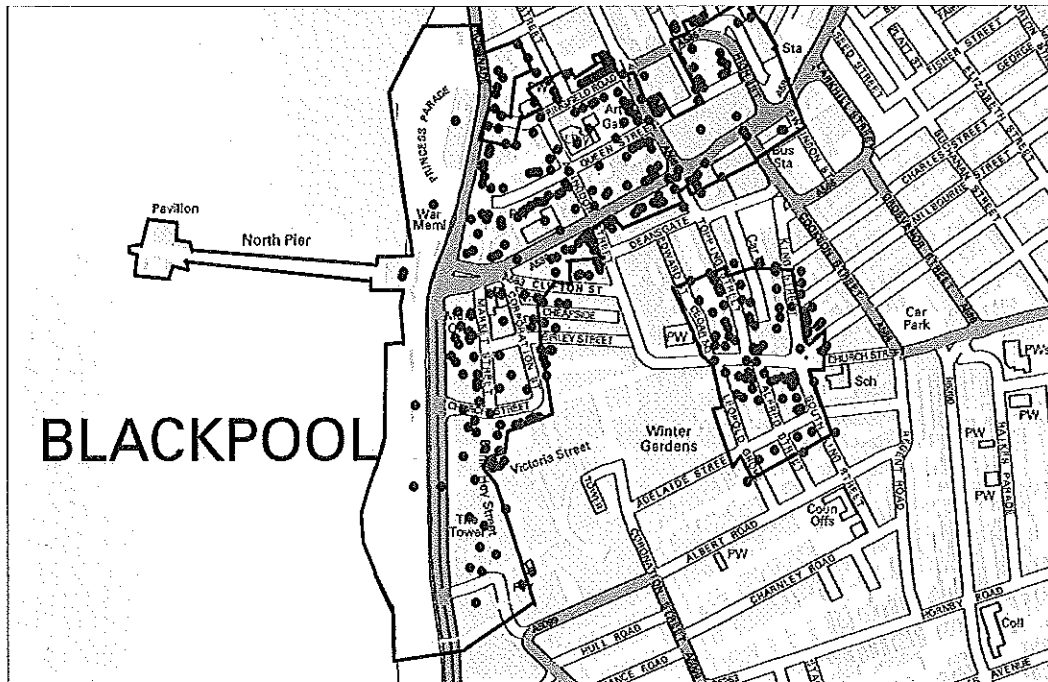
ANALYSES

WHERE ARE THE CURRENT BOUNDARIES?

Map 1

Map 1 depicts the Talbot Ward Boundary as supplied by Blackpool Town Council, within it the red dots represent the crime and incidents which have been reported to the Police within this area.

Map 1 Incidents committed between 1st July 2014 & 31st July 2015



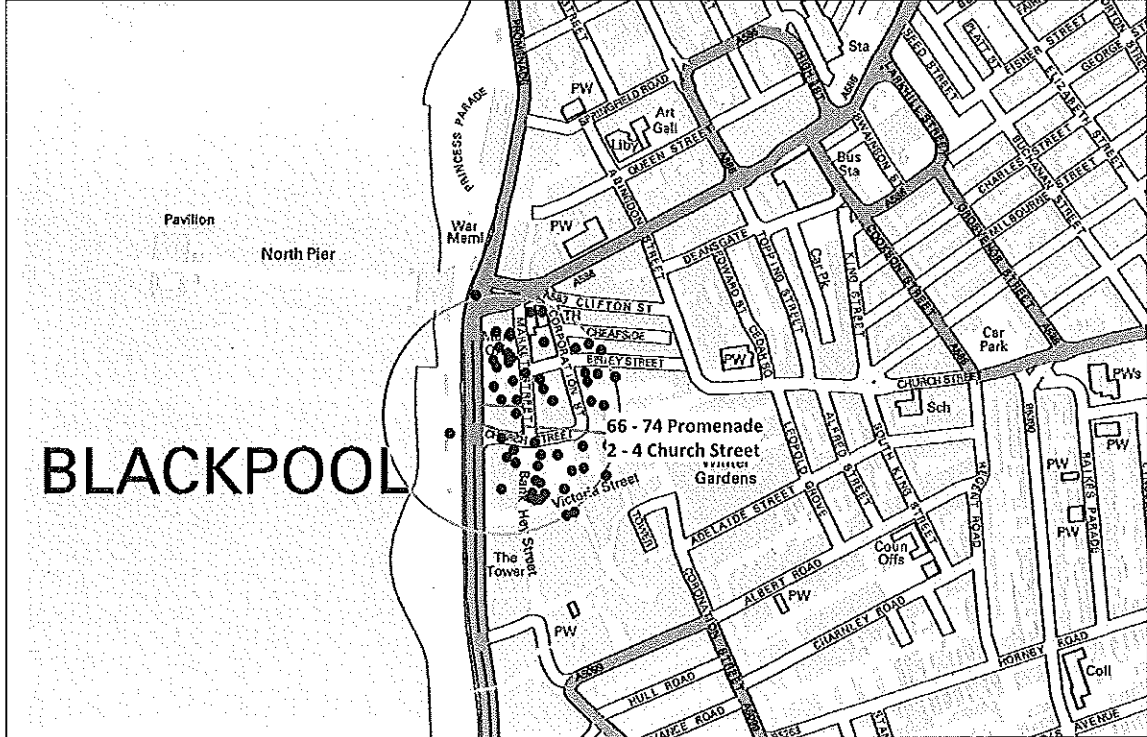
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Rachel Freeman Intelligence Analyst 10629
Central & West BCUs

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Map 2 depicts the 0.150km buffer zone, concentrating on incidents and crime in close proximity to the premises on the corner (Photo 1) of the Promenade & Church Street.

Incidents committed between 1st July 2014 & 31st July 2015



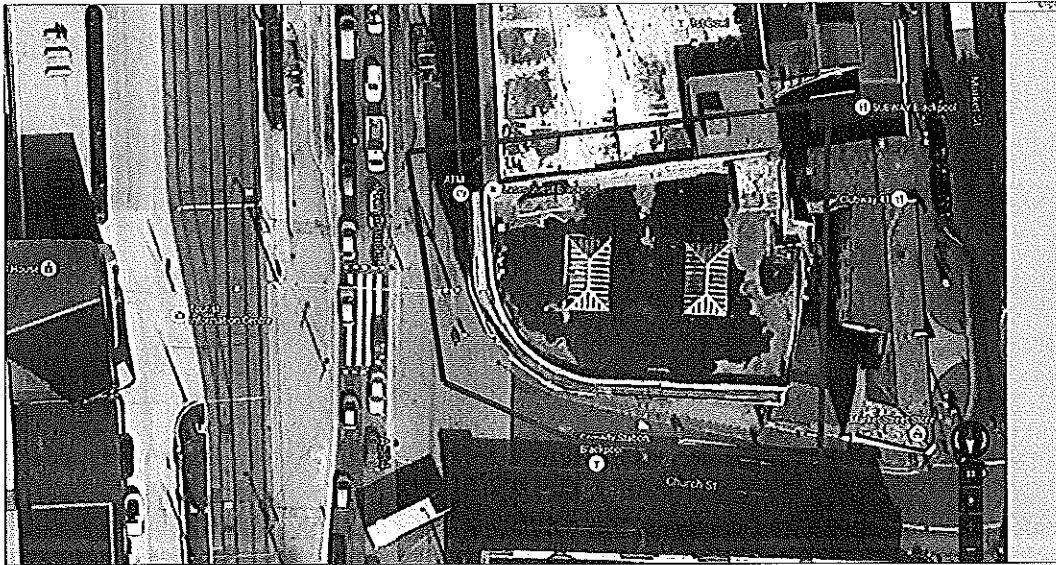
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Central & West SCUs

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Photo 1 is an aerial shot of the corner premises. This is a large plot, the proposal from the developer is to seat approx. 300 patrons for food and drink, including alcohol. The restaurant Las Iguanas permanent promotion is 2 for 1 ON HAPPY HOUR COCKTAILS & COOLERS, 12-7PM & 10 TILL LATE & ALL DAY SUNDAY - WEDNESDAY. BUY ONE GLASS OR PITCHER, GET THE SAME ONE FREE.² Las Iguanas opening times vary by location. Most of the City Centre venues open at midday and close at 23.00hrs or midnight, the proposal at Blackpool is to open from 9.00hrs Monday to Thursday and close at Midnight, but at weekends Friday to Sunday remain open until 01.30hrs.

Photo 1



² Taken from Deansgate Manchester site <http://www.iguanas.co.uk/menus/>

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Talbot Ward, Blackpool

Households: 3075

Population: 6618

| | | Actual Crimes/Incidents | | | Rate per thousand population, except for Domestic Burglary which is rate per thousand households | | | | |
|---|--|-------------------------|------------------------|-------------------------|--|------------------------|------------------------|---|--|
| | | July 2013 to June 2014 | July 2014 to June 2015 | Year on Year Difference | Percentage Change | July 2013 to June 2014 | July 2014 to June 2015 | Blackpool District Average (July 2014 to June 2015) | Lancashire County Average (July 2014 to June 2015) |
| Emergency Service Calls | Calls to the Police | 13433 | 13018 | -415 | -3.1% | 2029.8 | 1967.1 | 553.2 | 355.6 |
| | Calls to the Ambulance Services | 3613 | 3616 | 3 | 0.1% | 545.9 | 546.4 | 221.7 | 146.6 |
| | Calls to the Fire & Rescue Services | 234 | 218 | -16 | -6.8% | 35.4 | 32.9 | 11.9 | 9.3 |
| Crime | Total Recorded Crime | 2844 | 2767 | -77 | -2.7% | 429.7 | 418.1 | 100.6 | 63.1 |
| Personal Safety | Violence Against The Person | 679 | 695 | 16 | 2.4% | 102.6 | 105 | 29.1 | 16.1 |
| | Calls to the Police about Domestic Violence | 406 | 355 | -51 | -12.6% | 61.3 | 53.6 | 27 | 13.1 |
| | Calls to the Ambulance Service where violence involved | 69 | 89 | 20 | 29% | 10.4 | 13.4 | 3 | 1.3 |
| | All Drug Offences | 129 | 103 | -26 | -20.2% | 19.5 | 15.6 | 3.1 | 1.9 |
| | Numbers Killed or Serious Injured on the Roads | 5 | 6 | 1 | 20% | 0.8 | 0.9 | 0.2 | 0.3 |
| Property and Place | Serious Acquisitive Crime | 188 | 200 | 12 | 6.4% | 28.4 | 30.2 | 10.9 | 8.7 |
| | Robbery | 31 | 19 | -12 | -38.7% | 4.7 | 2.9 | 0.6 | 0.4 |
| | All Burglary | 219 | 218 | -1 | -0.5% | 71.2 | 70.9 | 23.4 | 19.4 |
| | Domestic Burglaries | 69 | 82 | 13 | 18.8% | 22.4 | 26.7 | 10.1 | 7.9 |
| | All Vehicle Crime | 95 | 114 | 19 | 20% | 14.4 | 17.2 | 6.6 | 6 |
| | Theft of a Vehicle | 23 | 16 | -7 | -30.4% | 3.5 | 2.4 | 1.6 | 1.3 |
| | Theft from a Vehicle | 65 | 83 | 18 | 27.7% | 9.8 | 12.5 | 4.1 | 3.8 |
| | All Criminal Damage (including Arson) | 332 | 269 | -63 | -19% | 50.2 | 40.6 | 16.1 | 10.5 |
| | Deliberate Fires | 21 | 20 | -1 | -4.8% | 3.2 | 3 | 1.6 | 1.6 |
| | Deliberate Vehicle Fires | 0 | 0 | 0 | 0% | 0 | 0 | 0 | 0 |
| Calls to the Police about Anti-Social Behaviour | 1975 | 1745 | -230 | -11.6% | 298.4 | 263.7 | 89.1 | 53.7 | |

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This MADE³ table shows the reported levels of call outs to the ward within the previous 12mths, it also shows the comparison between this ward and the County average. All reported incidents to Police, Fire and Ambulance service portray the same picture; this ward has above average levels.

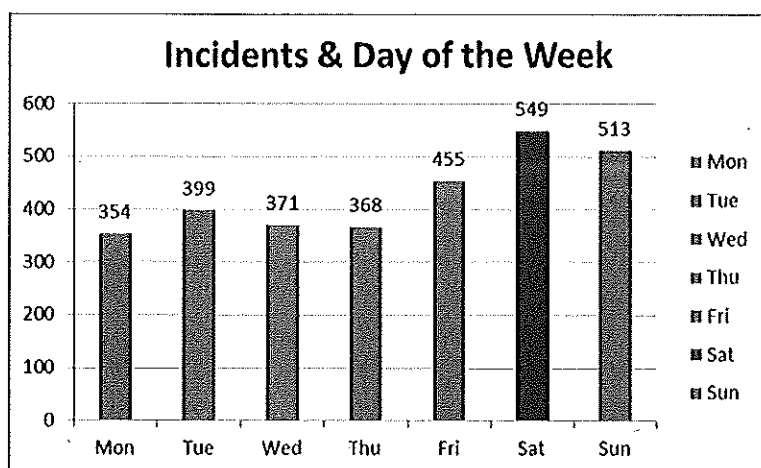
CURRENT LEVELS OF CRIME AND DISORDER

The Talbot Ward is heavily populated with takeaways, restaurants and licensed premises and is a hot spot in Blackpool for alcohol related disorder.

Over the previous 12 months (July 14 to June 15) MADE⁴ states the Talbot Ward recorded a total of 13018 calls to the Police of which 2767 have resulted in a crime. Violence is the predominate type of offending accounting for 25% (n=695) of recorded crime.

For this report I have been selective in the type of incidents I have examined. I have discounted incidents which do not relate to the night time economy. I have retained 20 incident types:

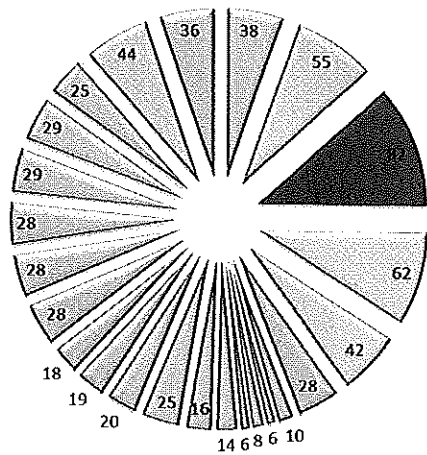
| Incident Type | Count |
|---------------------------------------|-------------|
| Assault | 554 |
| Civil Dispute | 42 |
| Collapse / Illness / Injury / Trapped | 143 |
| Concern for Safety | 342 |
| Criminal Damage Excluding Vehicles | 93 |
| Domestic Incident | 102 |
| Drugs | 55 |
| Environmental | 16 |
| Firearms Incident | 7 |
| Harassment | 8 |
| Licensing | 5 |
| Miss From Home | 13 |
| Nuisance | 594 |
| Other Notifiable Crime | 17 |
| Personal | 232 |
| Public Order | 76 |
| Robbery | 18 |
| Sexual Offence | 24 |
| Theft | 624 |
| Vehicle Crime | 44 |
| Grand Total | 3009 |



As expected in this busy area, the weekend period Friday until Sunday (early hours) is when the majority of incidents occur, over this 3 day period 50% (n=1517) were reported.

³ Multi Agency Date Exchange – Lancashire County Council
<http://www.saferlancashire.co.uk/2011/statistics/statistics.asp>

24 hr Clock - Violence & Disorder Times



- 00:00
- 01:00
- 02:00
- 03:00
- 04:00
- 05:00
- 06:00
- 07:00
- 08:00
- 09:00
- 10:00
- 11:00
- 12:00
- 13:00
- 14:00
- 15:00
- 16:00
- 17:00
- 18:00
- 19:00
- 20:00
- 21:00
- 22:00
- 23:00

In line with the peak days of the week, the peak times for violence and disorder was 02:00hrs, which suggests strong links with the night time economy.

When examining general incident times, there are two peaks during a 24hr period; afternoon 16:00hrs and early hours of the morning 02:00hrs.

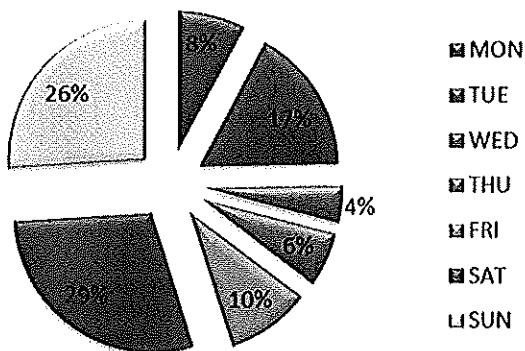
The times reflect two different issues in the ward, daytime offences of thefts, purse dippings and stealing from shops and stalls and public order, violence in the early hours.

ANALYSIS – 0.150KM (150MTR) BUFFER ZONE AROUND 66-74 & 2-4 CHURCH STREET

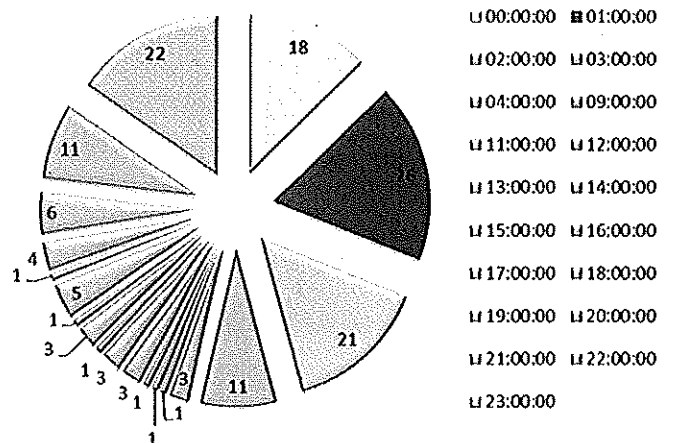
In map 2 the area highlighted is a large corner plot between Promenade and Church Street. I have plotted and captured incidents reported within the 0.150km buffer zone (green circle) within the previous 12 months. Over the previous 12 months there have been 707 incidents reported and 324 crimes, of which 176 have links to the night time economy. Of the 324 offences 142 have alcohol related markers on the offence.

Violence and theft from the person are the most commonly reported offences 83% (n=118). The violent offences vary in severity from non-injury to grievous bodily harm and purse/mobile phone thefts from patrons of the pubs, clubs and restaurant, when bags have been left unattended. Offending mainly occurs over the weekend period between the hours of 22:00 hrs and 02:00 hrs. Repeat streets within the buffer zone were: Market Street, Promenade, Church Street, Bank Hey Street and Corporation Street.

0.150km of Premises



24 hrs Clock - Offence time



WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Gareth Zakariya James HILL

Age if under 18: 018 (if over 18 insert 'over 18')

Occupation: Police Constable 418

This statement (consisting of 2 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: 2nd August 2015

I am PC 418 Gareth Zakariya James HILL of the Lancashire Constabulary currently stationed at Blackpool Central Police Station where I am the Community Beat Manager for Blackpool Town Centre. My role is to deal with issues which concern the public and impact on their quality of life, a major part of which involves the Night Time Economy and providing a visible presence in the town centre during the Nightsafe policing operation on Friday and Saturday nights.

As part of my duties I carry with me a Town Centre link radio, which during the day is used by the retail premises, but from the late afternoon until the early hours of the morning the link radio is also used by the licensed premises, staff from the Night Safe Haven Bus and volunteers from the Street Angels.

The link radio is a particularly useful tool for early intervention of groups which have the potential to cause issues, early indication for Police of incidents developing at licenced premises as well as helping to identify vulnerable persons and getting the most appropriate assistance quickly and minmising the risk to themselves and others.

One of the main reasons why this partnership approach works on weekends is due to the fact that all licenced premises in the Town Centre have visible Door Supervisors in place during the key times, especially on Friday and Saturday nights.

Despite the fact that these Door Supervisors are employed by different companies all staff fully engage with the link radio scheme, keeping an eye open for problematic individuals and groups and making other licenced premises aware and where appropriate requesting access be refused, thereby drastically reducing the potential for disorder.

As the Community Beat Manager for the Town Centre, I also have a very positive working relationship with the licenced premises and Door Supervisors from all of the various providers.

In my experience Door Supervisors are key to having control of entrance and exit of the premises, knowing the numbers inside the premises at anyone time but also being the source of useful and relevant information about the feel around the town centre, which again contributes to Police resourcing decisions as the night progresses.

Whilst Licensee's, Designated Premises Supervisors and other staff from the licenced premises themselves also try to be aware of issues in their premises, when the nights are so busy they are not in a position to have full control over entry to their premises or being tuned into information being passed via the link radio.

Therefore the real strength to the Blackpool Town Centre Nightsafe operation is having all relevant licenced premises fully on board with Door Supervisors. Door Supervisors also have the skill and oversight to nip incidents in the bud quickly, by ejecting or refusing entry to specific persons without the need for Police involvement, leaving Police resources free to deal with more serious and spontaneous disorder, providing a visible presence to prevent and deter crime and being available to protect vulverable persons.

Should one individual premises not have have Door Supervisors in place, the danger is that such premises can become hot spots for alcohol related disorder, putting staff at such premises at risk should they need to refuse alcohol sales to drunk persons or should they need to eject such persons, the result being that premises without Door Supervisors during the key hours have the potential to become a drain on Police resources, as Police end up dealing with minor incidents or disorder which has escalated because there were no Door Supervisors in place to deal with incidents earlier, thereby potentially leading to increase in crimes such as Assaults and Public Order.

There is finally the potential that should one licenced premises be permitted to operate without Door Supervisors, other premises will seek reviews of their own licence conditions in order to remove this condition, thereby greatly increaing the potential for more alcohol related disorder in Blackpool Town Centre and putting vulnerable persons at more risk.

Signature: Signature witnessed by:

12

[RESTAURANTS \(/LOCATIONS\)](#) [SHOP \(/SHOP\)](#) [LIVE LATIN \(/LIVE/LATIN\)](#) [LATEST \(/NEWS\)](#)

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LATIN CLASSICS IN THE MIX

Spring has sprung and with it more classic Latin cocktails with our Las Iguanas twist and sunshine concoctions for you to try. Happy Hour* continues with happier hours all day Sunday to Wednesday, noon to 7pm and from 10pm to closing time on Thursday, Friday and Saturday at most branches. And lots more Happy Hour cocktails to try.

Fancy cocktails at home? You can find the recipe for our classic Caipirinha Here [\(././live/live/classic-caipirinha\)](#) and snap up a bottle of our own Cachaca all the way from our sugar cane plantation in Brazil from our online store [\(././shop\)](#) or why not order your own Mojito kit from Havana Club for a taste of Cuba.

*Different timings may apply and we're really sorry but we don't run our famous 2-for-1 Happy Hour in Lakeside or in Scotland due to local restrictions. We do have different offers in most of these branches. Late happy hour not available at Royal Festival Hall.

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[Reviews \(/reviews\)](#)

Evans, Lisa

From: Evans, Lisa
Sent: 30 June 2015 12:43
To: 'Matthew Phipps'
Subject: RE: Las Iguanas [TLT-TLT.FID3259521]
Attachments: mediation las iguanas.doc; Statement of Licensing Policy June 2013[2].pdf

Matthew,

Apologies for keep missing you. I have attached a copy of a Mediation agreement in relation to the new proposed premises Las Iguanas. The premises falls within the Saturation area of Blackpool Councils Statement of Licensing Policy which I have also attached for your convenience.

If you have any further questions please feel free to contact me.

Many thanks

Lisa

P.C 3842 Lisa Evans
Licensing Department
Blackpool Central Police Station
Bonny Street
Blackpool
FY1 5RL

T: 01253 604005
F: 01253 604119
E: Lisa.Evans@Lancashire.Pnn.Police.Uk

From: Matthew Phipps [<mailto:matthew.phipps@TLTsolicitors.com>]
Sent: 29 June 2015 18:16
To: Evans, Lisa
Cc: Paul Uren
Subject: Las Iguanas [TLT-TLT.FID3259521]

Lisa,

Let's speak tomorrow...

Matthew

Matthew Phipps
Partner
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Keep up to date with the issues relevant to you by [subscribing to our email updates.](#)

Evans, Lisa

From: Evans, Lisa
Sent: 10 July 2015 16:11
To: 'Matthew Phipps'
Subject: RE: Las Iguanas, Blackpool [NOT PROTECTIVELY MARKED]

Mr Phipps

Thank you for your email and I apologise for my late response im afraid due to rest days and other commitments I did not have time to respond. However it was clear that we would not be able to mediate on conditions both parties would agree to so as im sure you are aware I have objected to the application as it stands. Please find attached my responses in red to your concerns:

Condition 1 - The primary purpose of the premises.

Although our premises is a restaurant and is laid out, throughout, to tables an chairs and food is far and away the predominant driver of the business, I am concerned that the second part of that condition "the sale of alcohol will be ancillary to these uses" is something to akin to an historic restaurant condition, where alcohol has to be ancillary to substantial table dining, or historic nightclub conditions where alcohol had to be ancillary to substantial table dining and/or regulated entertainment. We would be willing to delete this condition as the main purpose of it is to ensure the premises does not become a high volume vertical drinking establishment but really it is covered by ensuring menus and food are available and seating is provided for 80% of the capacity.

These premises will barely provide anything more then background recorded music and although the vast majority of customers will be seated, not all will eat. Food will be available throughout the whole of the premises at all times, (including the area marked "bar") but in the bar part, you would expect to have more customers drinking, without table meals, than you might expect to have in the restaurant part.

The premises doesn't really permit pre-arranged events and functions, save that at Christmas with larger table bookings (but always predicated on the basis that the customers will be seated and will be dining).

Condition 2 - High Volume Vertical Drinking

We recognise the concern, we recognise the point made by your colleague when we spoke earlier in the week that you are obliged to "look over our shoulder" at what possible uses might follow if the operation were not to succeed. My own view is that is effectively what a review is intended to deliver, but we don't need to disagree with you here and there is no intention that the premises would be permitted to conduct itself in that manner.

80% laid out to seating can be agreed. We will presume to delete our similar condition.

Waiter/waitress service available at all times can be agreed.

Personal licence holder contactable - we would welcome a brief discussion around that. Managers, deputies and assistant managers tend to have personal licences so I don't envisage it's a difficulty. This is essentially to ensure there is someone responsible that can be contacted at all times it is open so if you would prefer this to be reworded to cover that (e.g. manager/ asst manager) we would agree with that.

Drug prevention policy. I anticipate that we can agree this but I am bound to make the point that it is a restaurant premises and this reads like a nightclub condition. I also have some concern about condition 11 and the legitimacy of seemingly prohibiting customers access to the premises in perpetuity because of a historic potentially spent criminal conviction. We are happy to delete the drugs strategy condition as this is basically covered in the next 3

conditions relating to drugs (e.g. toilet checks, records of any drugs found, storing found drugs). We are happy to remove condition 11 in relation to criminal convictions.

12 - All agreed.

13 - Off sales. Las Iguanas, as you will appreciate, are a Latin American themed restaurant and bar. They own a sugar cane plantation in Brazil from which they import their award winning cachacha, a sugar cane rum that is the base for most Brazilian cocktails. That product, which is rarely available in the UK, is often purchased in bottles by our customers. Sometimes at the end of an evening but also some customers come to the premises during the course of the day and purchase a bottle as a pure "off sale". We don't need the recorking of wine provision but in exchange we do need the cachucha permission. I am slightly confused by this, would these bottles not be sealed? Or would they start drinking them then put the lid back on to leave with it? If so we can amend this, although thinking about it we should amend it to grounds and curtilage rather than the premises as you will be having an outdoor area.

14 - I think that this is an historic condition (?) and is now a mandatory condition and couldn't and shouldn't be imposed. Agreed this can be removed.

15 - We are agreeable to 15 but we do want to make the point that any failure, as an example, to search customers on the suspicion that drugs are being carried, couldn't later fairly be attributed to a lack of rigor, it might just be customers coming to a Latin American restaurant don't generate suspicion that they are (or are not) carrying drugs. It is meant that any searches that do take place should be documented, there is no implication with this condition that drug searches should or shouldn't be carried out.

16 - We'd like an understanding of which risk assessments you have in mind. Please see attached example of risk assessments although please note the example used is that of a large club so we appreciate a risk assessment for this premises would be much smaller.

17 - Las Iguanas have a national training programme for all staff, so we don't anticipate any difficulty here.

18 - Shouldn't it read intoxicating and behaving in a disorderly manner? Whilst we appreciate service to drunks is inappropriate, one might argue intoxicated applies after one drink, or two, but the person might be perfectly legitimately behaved at that point. Those who are behaving in a disorderly manner ought first to be requested to conduct themselves appropriately, before being asked to leave and escorted from the premises. That is simply a question of good premises management. Could we replace the word intoxicated with 'drunk or intoxicated through drugs' as somebody sober could be disorderly.

19 - All agreed.

20 - All agreed.

Challenge 25 - We propose and operate a national challenge 21 policy which works well. We can agree your conditions, but we will be proposing that is challenge 21 not challenge 25. If you feel challenge 21 is successful in ensuring that staff would not sell alcohol to under 18's (unless having a table meal etc) then we would agree to this amendment. Although I do have to stress that Blackpool Police and Trading Standards for this area strongly recommend that all premises are now adopting to the Challenge 25 policy.

Condition 25 - This can be agreed but we would respectfully suggest that children have a civilising effect on licensed premises and seeking their removal late at night doesn't necessarily go to promotion of the licensing objectives. I disagree and feel that if children were allowed in the premises beyond this time it would not satisfy the protection of children from harm objective, e.g. stag and hen groups do not necessarily notice children near to them when using inappropriate/ lewd language which may cause children psychological harm.

26 - We propose door staff on nights when the premises has regulated entertainment. We don't propose them elsewhere. There are no ticketed events where admission is only permitted by tickets purchased in advance and there are no private functions. Again this does rather read like a nightclub condition and doesn't seem to us to be suitable to the type and style of operation we are proposing. We don't need to resist the condition entirely, we

probably just need to finesse it. We would be happy to remove the private functions and ticketed events part of this concition.

27 - Door staff after 10pm - This is not agreed. However my clients are giving some consideration to the internal configuration of layout of the premises and once I better understand that I'll come back to you. Certainly we don't have any crime and disorder and antisocial behaviour which merits door staff in any of our other locations (30+) in England Scotland and Wales. On reviewing this the Police feel this is fundamental in reducing crime and disorder and rebutting the assumption that the crime and disorder objective would be undermined and would in fact suggest that there is also a need for SIA registered door staff during the day on Saturdays when we believe large groups such as stag and hen groups will frequent this premises, therefore the Police would suggest a revision of this condition to 'at least one SIA registered door supervisor should be employed on Friday from 22:00hrs and Saturday from 15:00hrs until closing.'

29 - 31 - I will speak to the client to better understand the provision of furniture outside the premises. Please can you let me know if there are particular sensitivities around customers being outside at any time, it wasn't my understanding of the situation of the premises. Ordinarily we would look to have provision for outside seating (carefully managed and partitioned) for the full hours we whilst we are operating. As the land where this proposed seating would be is owned by the council your client would have to apply for a street café licence from Blackpool Council which would be limited to 10pm. All premises within the Town Centre close there outdoor areas for consumption for alcohol at 10pm. If you would like greater clarity on this you can contact Mandy Mundow on 01253 476152.

32 - CCTV - This can be agreed.

I trust that is of help to you and your client. If you have any queries please don't hesitate to give me a call.

Many thanks

Lisa

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From: Matthew Phipps [mailto:matthew.phipps@TLTsolicitors.com]
Sent: 07 July 2015 09:25
To: Evans, Lisa
Cc: Paul Uren
Subject: FW: Las Iguanas, Blackpool [NOT PROTECTIVELY MARKED]

Dear Officer

Las Iguanas, Blackpool

Thank you very much for your mediation document and the proposed conditions you'd like to see attached to the licence.

As you will be aware a number of these are already contained within the application in one form or another. Please can you let me know if I am right to presume that where our wording conflicts with yours (albeit where the point is pretty much the same) that you would like to see your wording attached. It probably won't surprise you to know that we would like to see our wording (in some cases). As our client runs a national operation, our managers and deputy managers have often trained and, if you will, been brought up in, other Las Iguanas premises around the country. We tend therefore to move staff around and where we are able to have similar if not identical Las Iguanas conditions providing the same standards and levels throughout England Wales and Scotland, that undoubtedly is a benefit for training and consistency. Perhaps as the conversation progresses we might look at a few of those.

The conditions that you have proposed are in significant part almost identical to those that your colleague provided us with as an example of a recent mediation you'd undertaken when we had dialogue with you prior to the service of the application. I have proposed a number of conditions that haven't merited any observation from you in the mediation documents. I am anticipating that you don't actually want those to clutter up the licence and that I am to presume to drop those from our proposals? When we speak we can no doubt discuss that.

Most of your conditions are acceptable and we will be in a position to agree them. There are however a few that cause concern and so in this first email I thought it would be helpful to concentrate on those (even though there may be one or two additional ones that need finessing).

Condition 1 - The primary purpose of the premises.

Although our premises is a restaurant and is laid out, throughout, to tables and chairs and food is far and away the predominant driver of the business, I am concerned that the second part of that condition "*the sale of alcohol will be ancillary to these uses*" is something to akin to an historic restaurant condition, where alcohol has to be ancillary to substantial table dining, or historic nightclub conditions where alcohol had to be ancillary to substantial table dining and/or regulated entertainment.

These premises will barely provide anything more than background recorded music and although the vast majority of customers will be seated, not all will eat. Food will be available throughout the whole of the premises at all times, (including the area marked "bar") but in the bar part, you would expect to have more customers drinking, without table meals, than you might expect to have in the restaurant part.

The premises doesn't really permit pre-arranged events and functions, save that at Christmas with larger table bookings (but always predicated on the basis that the customers will be seated and will be dining).

Condition 2 - High Volume Vertical Drinking

We recognise the concern, we recognise the point made by your colleague when we spoke earlier in the week that you are obliged to "look over our shoulder" at what possible uses might follow if the operation were not to succeed. My own view is that is effectively what a review is intended to deliver, but we don't need to disagree with you here and there is no intention that the premises would be permitted to conduct itself in that manner.

80% laid out to seating can be agreed. We will presume to delete our similar condition.

Waiter/waitress service available at all times can be agreed.

Personal licence holder contactable - we would welcome a brief discussion around that. Managers, deputies and assistant managers tend to have personal licences so I don't envisage it's a difficulty.

Drug prevention policy. I anticipate that we can agree this but I am bound to make the point that it is a restaurant premises and this reads like a nightclub condition. I also have some concern about condition 11 and the legitimacy of seemingly prohibiting customers access to the premises in perpetuity because of a historic potentially spent criminal conviction.

12 - All agreed.

13 - Off sales. Las Iguanas, as you will appreciate, are a Latin American themed restaurant and bar. They own a sugar cane plantation in Brazil from which they import their award winning cachacha, a sugar cane rum that is the base for most Brazilian cocktails. That product, which is rarely available in the UK, is often purchased in bottles by our

customers. Sometimes at the end of an evening but also some customers come to the premises during the course of the day and purchase a bottle as a pure "off sale". We don't need the recorking of wine provision but in exchange we do need the cachucha permission.

14 - I think that this is an historic condition (?) and is now a mandatory condition and couldn't and shouldn't be imposed.

15 - We are agreeable to 15 but we do want to make the point that any failure, as an example, to search customers on the suspicion that drugs are being carried, couldn't later fairly be attributed to a lack of rigor, it might just be customers coming to a Latin American restaurant don't generate suspicion that they are (or are not) carrying drugs.

16 - We'd like an understanding of which risk assessments you have in mind.

17 - Las Iguanas have a national training programme for all staff, so we don't anticipate any difficulty here.

18 - Shouldn't it read intoxicating and behaving in a disorderly manner? Whilst we appreciate service to drunks is inappropriate, one might argue intoxicated applies after one drink, or two, but the person might be perfectly legitimately behaved at that point. Those who are behaving in a disorderly manner ought first to be requested to conduct themselves appropriately, before being asked to leave and escorted from the premises. That is simply a question of good premises management.

19 - All agreed.

20 - All agreed.

Challenge 25 - We propose and operate a national challenge 21 policy which works well. We can agree your conditions, but we will be proposing that is challenge 21 not challenge 25.

Condition 25 - This can be agreed but we would respectfully suggest that children have a civilising effect on licensed premises and seeking their removal late at night doesn't necessarily go to promotion of the licensing objectives.

26 - We propose door staff on nights when the premises has regulated entertainment. We don't propose them elsewhere. There are no ticketed events where admission is only permitted by tickets purchased in advance and there are no private functions. Again this does rather read like a nightclub condition and doesn't seem to us to be suitable to the type and style of operation we are proposing. We don't need to resist the condition entirely, we probably just need to finesse it.

27 - Door staff after 10pm - This is not agreed. However my clients are giving some consideration to the internal configuration of layout of the premises and once I better understand that I'll come back to you. Certainly we don't have any crime and disorder and antisocial behaviour which merits door staff in any of our other locations (30+) in England Scotland and Wales.

29 - 31 - I will speak to the client to better understand the provision of furniture outside the premises. Please can you let me know if there are particular sensitivities around customers being outside at any time, it wasn't my understanding of the situation of the premises. Ordinarily we would look to have provision for outside seating (carefully managed and partitioned) for the full hours we whilst we are operating.

32 - CCTV - This can be agreed.

I trust that is a helpful starting point. If you have any queries please don't hesitate to give me a call.

Best wishes

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Evans, Lisa

From: Matthew Phipps <matthew.phipps@TLTsolicitors.com>
Sent: 17 July 2015 11:22
To: Evans, Lisa
Cc: Paul Uren
Subject: Las Iguanas Blackpool [TLT-TLT.FID3489416]

Officer

Thank you for your email of 10 July 2015.

No issue with the delay much better to have a comprehensive reply than not, and in any event bearing in mind the timeline it is probably for me to apologise for you now!

I appreciate that there may be a few things to iron out but can I make the following comments:-

Condition 1 - that is very helpful, thank you.

Personal Licence Holder (Manager) contactable - that is helpful also. I will finesse the wording and send something across.

Drugs Prevention Policy - thanks for confirmation of condition 11, I will get confirmation and we are happy to agree the others.

Off Sales - the only sealed bottle that we would want to be an off sale is our Cachaca. It isn't a bottle that would be partially drunk on site and then taken home to consume (on the bus!). It is a premium priced spirit people take, sealed, for the drinks cabinet at home. We are not proposing that anybody will take partially consumed drinks with them at all.

SIA - thank you.

Searches - all understood if and/or when we undertake any searches we will ensure they are documented.

Risk Assessments - I don't think that the risk assessment that you attached got through our fire wall/system, would you mind sending it again.

Drunk/Intoxicated - I am sure we will be able to agree this. Let me send some wording through.

Challenge 21 - we have not had any examples of failing test purchases or selling to those who are underage. I appreciate that we have a bar and I appreciate that we seek to avoid "alcohol ancillary to table dining conditions" but the nature of the bar offer that we have doesn't really lend itself to youngsters. That is not to say that we are not vigilant, that is not to say that we don't have rigorous training, but it is to suggest that Challenge 21 has done the job across the other 40 odd Las Iguanas premises pretty well so far.

Children - all noted. We might have to disagree on the protection point, but actually there is nothing to stop us agreeing your condition in any event.

Door Staff - I will of course take instructions, but I anticipate that we are unlikely to agree, this may well be the sticking point.

Tables and Chairs - thanks for the direction toward Mandy, we will be in touch with her.

I hope that takes us forward and although it may not remove all of the issues between us I hope it does narrow it sensibly.

Best wishes.

Yours sincerely

Matthew Phipps
Partner - Leisure & Retail