


Blackpool Council Licensing Service

**Representation made by a Responsible Authority
to an application for the grant / variation of a Premises
Licence / Club Premises Certificate**

Responsible Authority

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|---|--|----|----|
| Name of Responsible Authority | LANCASHIRE CONSTABULARY | | |
| Name of Officer <i>(please print)</i> | PC 3842 Lisa Evans | | |
| Signature of Officer |  | | |
| Contact telephone number | 01253 604079 | | |
| Date representation made | 08 | 07 | 15 |
| Do you consider mediation to be appropriate | YES | | |

Premises Details

| | |
|---------------|---------------|
| Premises Name | Las Igunas |
| Address | Church Street |
| | Blackpool |
| | |
| Post Code | FY1 1HB |

Reasons for making representations

On behalf of the Chief Officer of Police, having reviewed the application the Police make formal objections on the following grounds:

The Police base this objection on the existing Premises Licence cumulative impact policy. The purpose of this Policy is to limit the number of Licensed Premises within a given geographic area, in order to reduce crime and disorder and promote the licensing objectives. The Policy sets out the following;

- The number, type and density of the premises selling alcohol in a particular area can lead to serious problems of nuisance and disorder. In these circumstances the impact of the premises taken as a whole can be far greater than that arising from individual premises. In most cases it would be impossible to identify an individual premise as being the sole cause or major contributing factor.
- The potential impact on the promotion of the licensing objectives by a significant number of licensed premises concentrated in one area is called cumulative impact. The cumulative impact of all the premises in an area upon the promotion of the licensing objectives is a proper matter for the Licensing Committee to consider.

- This application is within the cumulative impact zone, which was recently reviewed to cover a smaller area, however this premises still falls within this area; the location of the premises is in one of the busiest parts of the town, servicing both the day time and night time economy.

Before the application was submitted the applicant's solicitor contacted Police to ascertain views in relation to proposed business venture and was therefore provided conditions in relation to a restaurant and alcohol being ancillary to that, which the Police suggest would not create more crime and disorder. Despite this the applicant has submitted this application as being food led but will allow customers to purchase alcohol without the provision of food.

The Police then submitted the below mediation agreement to the applicant and discussed this with the applicants solicitor via email but no mediation could be met to prevent future crime and disorder as not all conditions could be agreed.

The granting of this new premises licence will only add to the availability of alcohol and increase crime and disorder and Police attendance to the premises and locality which proportionately will affect the Crime Prevention objective.

Although the Police accept that the applicant has volunteered many conditions to promote the licensing objectives, the Police are of the strong belief that the 'bar' element to this business will attract crime and disorder and if no condition exists to tie the premises to strict restaurant conditions the only remaining condition to ease crime and disorder would be the employment of SIA registered door security staff, which the applicant has refused.

Therefore a hearing would allow the Licensing Committee to examine the prospective operators' intentions and rebut the presumption that the operation of the premises will not add to the cumulative impact and therefore crime and disorder.

It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.

The following conditions to be added to the operating schedule:

1. The primary purpose of the premises will be that of a restaurant / bistro/ cafe serving food, with additional occasional use for pre-arranged events and functions. The sale of alcohol will be ancillary to these uses.
2. The provision of food, including full meals and snacks will form a substantial element of the operation of the premises with sufficient furniture and seating provided and set out in such a way that it does not become a high volume, vertical drinking establishment.
3. Seating inside the premises will be provided for at least 80% of the total maximum capacity of the premises as determined by a risk assessment.
4. Whenever licensable activities are available at the premises a waiter/waitress service shall be available.

5. At least one personal licence holder will be contactable while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.
6. Another member of staff shall be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.
7. A drugs prevention strategy for the premises shall be developed and applied to include any reasonable recommendations of Lancashire Constabulary.
8. Security/staff arrangements will be sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas.
9. Records of incidents involving the use and / or detection of drugs shall be maintained and those records shall be available for inspection.
10. Confiscated and found drugs shall be stored and transferred to the Police in accordance with procedures agreed with the Lancashire Constabulary.
11. Any customers known to the management to have been previously convicted of committing criminal offences relating to drugs shall be excluded from the premises.
12. No person in possession of a drink in a sealed or unsealed container will be allowed to enter the premises except for the purposes of delivery.
13. No drink will be removed from the premises in an unsealed container save for unfinished bottles of wine which must be re-corked before being taken away from the premises.
14. Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.
15. An incident book will be maintained in which shall be recorded:-
 - i. All incidents of crime and disorder
 - ii. Refused sales to suspected under-age and drunken persons
 - iii. A record of any person asked to leave the premises or removed from the premises
 - iv. Details of occasions on which the police are called to the premises
 - v. A record of persons searched on suspicion that drugs are being carried and the reason for such suspicion

The book will be available for inspection by a police officer.

16. Any risk assessments carried out by or on behalf of the Licence holder, which relate to a licensing objective, shall be available for inspection by an officer of a Responsible Authority.
17. All members of staff shall receive suitable training with regard to serving drunks and are to receive regular refresher training at intervals of a maximum of six months. Records to evidence this will be made available to an authorised officer upon

request.

18. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner will be asked to leave the premises and will be escorted off the premises in a calm and appropriate manner.
19. No entertainment of an adult or sexual nature will take place on the premises.
20. The departure of customers from the premises shall be effectively managed by staff who will request patrons to leave quietly and to avoid causing noise, nuisance or disturbance in the area.
21. A Challenge 25 proof of age policy shall be implemented and adhered to. All staff to have received suitable training in relation to the Challenge 25 proof of age scheme. Records to evidence this will be made available to an authorised officer upon request.
22. Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:
 - i. A recognised proof of age card accredited under the British Retail Consortium's Proof of Age Standards Scheme (PASS)
 - ii. Photo driving licence
 - iii. Passport
 - iv. Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.

If no suitable identification is provided, the sale of alcohol to them will be refused.

23. All staff who are involved in the sale of alcohol shall receive suitable training in relation to the proof of age scheme to be applied upon the premises. All staff are to receive regular refresher training at intervals of at least four months. Records to evidence this will be made available to an authorised officer upon request.
24. Suitable signage will be displayed to specify that a Challenge 25 Policy is in place.
25. Children under 16 shall vacate the premises by 2200 unless partaking in a meal or family function.
26. The premises licence holder will risk assess the requirement for door supervisors at the premises and shall employ door supervisors in such numbers and at such times as is deemed necessary by the risk assessment. This requirement to provide door supervisors as determined by risk assessment will equally apply in respect of private functions and ticketed events where admission is only permitted by ticket purchased in advance.
27. Notwithstanding the above requirement to provide door supervisors as determined by risk assessment, at least one door supervisor should be employed on Friday and Saturday evenings from 22.00 hours until closing.
- 29 The outside seating area is to be clearly defined and separated from the public footpath. A fixed or removable barrier must enclose the outside seating area.
- 30 All furniture in the outside area is to be fixed or, if not fixed, to be removed from the outside area

after the premises has closed for trading.

31 Persons who are consuming a table meal in the outside area and are already seated prior to or at 9pm are permitted to remain outside until 10pm. The outside area is to be closed by 10pm on a daily basis.

28. 32 CCTV must be installed internally and externally at the premises and must comply with the following:

- i. Appropriate signage alerting customers to CCTV recording must be displayed in conspicuous positions on the premises.
- ii. The CCTV system must be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises must be covered by the system. The system will incorporate a camera covering each of the main entrance doors and each camera must be capable of providing an image which is regarded as identification standard in all lighting conditions.
- iii. The system must record all hours the premises are open to the public.
- iv. Recordings must display the correct date and time.
- v. Digital recordings must be held for a minimum period of 28 days. The system must as a minimum record images of the head and shoulders of all persons entering the premises.
- vi. A staff member who is conversant with the operation of the CCTV system must be on the premises at all times the premises is open to the public. This staff member must be able to show CCTV footage to the Police, responsible authorities or an authorised person immediately and provide footage in a viewable format within 48 hours of request, with minimum delay.
- vii. The licence holder must notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the conditions of this licence.
- viii. Bi-annually documented maintenance checks by a suitably qualified CCTV engineer must be made of the CCTV system to ensure that the system is in good working order and is operating in compliance with the conditions of this licence.