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Blackpool Council

Dear Councillor

LICENSING PANEL - FRIDAY, 7TH OCTOBER, 2016

Please find attached additional information for Friday, 7th October, 2016 meeting of the Licensing Panel, which were received after the agenda had been despatched.

Agenda No Item

- | | |
|---|---|
| 4 | <u>APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- NORTH PARADE GUEST HOUSE</u> (Pages 1 - 12) |
|---|---|

Yours sincerely

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LICENSING ACT 2003

NORTH PARADE GUEST HOUSE, BLACKPOOL

APPLICATION FOR REVIEW OF THE PREMISES LICENCE

DOCUMENTS UPON WHICH THE PREMISES LICENCE HOLDER INTENDS TO RELY

Nature of Documents	Pages
Agreed Conditions	1
Initial email dated 25 August 2016 to Mark Marshall offering conditions	2
Email received from Mark Marshall dated 31 August 2016 confirming agreement to the conditions	3
Email correspondence between Lancashire Constabulary and Napthens LLP with an email received from Emma Pritchard dated 20 September 2016 confirming agreement to the conditions	4-6
Email to Mark Marshall dated 21 September 2016 confirming the slightly amended conditions (more onerous)	7
Email received from Mark Marshall dated 22 September 2016 confirming agreement of the finalised conditions	8
Email correspondence between Louise Scales and Napthens LLP with Ms Scales' email dated 22 September 2016 confirming agreement of the conditions	9-10

Agreed Conditions

1. *Any person under the age of 18 must be accompanied by a responsible adult and remains the responsibility of the accompanying adult at all times when using the premises. Members of staff are not allowed to be in sole supervision of children.*
2. *There shall be no persons under 18 on the premises from 21.30 other than residents. Residents who are under 18 are not permitted in the licensed area or in the beer garden after 21.30 unless in the case of an emergency or for access reasons only.*
3. *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 shall be made available to an authorised officer upon request.*
4. *Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the venue. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner shall be given care and consideration in leaving the venue.*
5. *From 20.00 on Friday and Saturday evenings there will be one SIA registered door supervisor employed until all non-residential customers have left the premises.*
6. *Whenever regulated entertainment is taking place after 21.00 all windows and doors will be kept closed except for access and egress.*

Amend the current condition 11:

Whenever regulated entertainment is taking place, regular assessments shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any residents or businesses in the vicinity, steps will be taken to reduce the level of noise.

to read:

7. *Whenever regulated entertainment is taking place, regular assessments taken by a competent member of staff shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any residents or businesses in the vicinity, steps will be taken to reduce the level of noise.*

Samantha Faud

From: Samantha Faud
Sent: 25 August 2016 15:02
To: 'mark.marshall@blackpool.gov.uk'
Subject: North Parade Guesthouse (Casey's Bar)

Hi Mark

Further to our recent telephone conversation in relation to this matter, please see our proposed conditions below:

1. From 20.00 on Friday and Saturday evenings there will be one SIA registered door supervisor employed until all non-residential customers have left the premises.
2. Whenever regulated entertainment is taking place after 21.00 all windows and doors will be kept closed except for access and egress.
3. *Amend the current condition 11 to read:*

Whenever regulated entertainment is taking place, regular assessments taken by a competent member of staff shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any residents or businesses in the vicinity, steps will be taken to reduce the level of noise.

4. There shall be no persons under 18 on the premises from 21.30 other than residents. Residents who are under 18 must be accompanied by a responsible adult at all times and are not permitted in the bar area or in the beer garden after 21.30.

Please let me have your thoughts on the above conditions.

Kind regards.

Sam

Samantha Faud

From: Samantha Faud
Sent: 03 October 2016 12:04
To: Samantha Faud
Subject: FW: North Parade Guesthouse (Casey's Bar)

From: Mark Marshall [<mailto:mark.marshall@blackpool.gov.uk>]
Sent: 31 August 2016 09:43
To: Malcolm Ireland
Subject: RE: North Parade Guesthouse (Casey's Bar)

Hi Malcom

Happy to accept the conditions that Sam sent me re the door staff, doors and windows closed during regulated entertainment and the proposal re no under 18s after 21.30 except for children who ae residents at the hotel.

I don't think I have the ability to discharge the need for a hearing but we can go before the panel with an agreement that suits all parties.

Mark Marshall
Licensing and Health & Safety Manager
Blackpool Council
01253478493

Samantha Faud
Solicitor
Dept: Licensing
Tel: 01254 686225
Mob: 07415 447358
Email: Samantha.Faud@naphthens.co.uk

Samantha Faud

From: Samantha Faud
Sent: 03 October 2016 10:39
To: Samantha Faud
Subject: FW: North Parade Guesthouse (Casey's Bar)

From: Pritchard, Emma [mailto:Emma.Pritchard@lancashire.pnn.police.uk]
Sent: 20 September 2016 08:35
To: Samantha Faud
Subject: RE: North Parade Guesthouse (Casey's Bar)

Sorry for the delay Sam.

Apparently I can't withdraw the representation as such but I can say that I am happy with the below conditions and that we have mediated before the hearing so as long as these conditions were added to the operating schedule I would say there is no need for a hearing. Apparently the committee need to endorse this on the day of the hearing.

Just so you are aware I will actually be in Barcelona on the date of the hearing (7th October) so my colleague Ben Reynolds will be attending but I will print out all of our emails so he is fully briefed of everything we have agreed.

Thanks,

Emma

From: Samantha Faud [mailto:samantha.faud@naphthens.co.uk]
Sent: 19 September 2016 17:16
To: Pritchard, Emma
Subject: FW: North Parade Guesthouse (Casey's Bar)

Hi Emma

Sorry to pester you, but have you had chance to have a look at my email below yet?

Kind regards.

Sam

Samantha Faud
Solicitor
Naphthens LLP

Address: Greenbank Court | Challenge Way | Greenbank Business Park | Blackburn | Lancashire | BB1 5QB
Direct Dial: 01254 686225
Mobile: 07415 447358
Fax: 01254 681166
Web: www.naphthens.co.uk

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From: Samantha Faud
Sent: 15 September 2016 14:38
To: 'Emma.Pritchard@lancashire.pnn.police.uk'
Subject: FW: North Parade Guesthouse (Casey's Bar)

Hi Emma

Further to our various telephone conversations, my client agrees to offer the following additional conditions:

Any person under the age of 18 must be accompanied by a responsible adult and remains the responsibility of the accompanying adult at all times when using the premises. Members of staff are not allowed to be in sole supervision of children.

There shall be no persons under 18 on the premises from 21.30 other than residents. Residents who are under 18 are not permitted in the licensed area or in the beer garden after 21.30 unless in the case of an emergency or for access reasons only.

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 shall be made available to an authorised officer upon request.

Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the venue. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner shall be given care and consideration in leaving the venue.

As you already know we have agreed the following additional conditions with mark Marshall:

From 20.00 on Friday and Saturday evenings there will be one SIA registered door supervisor employed until all non-residential customers have left the premises.

Whenever regulated entertainment is taking place after 21.00 all windows and doors will be kept closed except for access and egress.

Amend the current condition 11 to read:

Whenever regulated entertainment is taking place, regular assessments taken by a competent member of staff shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any residents or businesses in the vicinity, steps will be taken to reduce the level of noise.

There shall be no persons under 18 on the premises from 21.30 other than residents. Residents who are under 18 must be accompanied by a responsible adult at all times and are not permitted in the bar area or in the beer garden after 21.30. I will contact Mark Marshall to confirm the above condition has been amended as per our agreed conditions. I cant see this being a problem but will let you know if there is any issue.

Please can you confirm you now withdraw your representation in support of the review application.

I look forward to hearing from you.

Kind regards.

Sam

Samantha Faud

Solicitor

Dept: Licensing

Tel: 01254 686225

Mob:07415 447358

Email: Samantha.Faud@naphthens.co.uk

Samantha Faud

From:Samantha.Faud@naphthens.co.uk
Sent:21 September 2016 16:40
To:mark.marshall@blackpool.gov.uk
Cc:Emma.Pritchard@lancashire.pnn.police.uk
Subject:North Parade Guesthouse (Casey's Bar)

Hi Mark

I have reached an agreement with Emma at the Police, but in the process I have amended one condition we had agreed. I presume you will be in agreement as it goes slightly further, but I do need to check this with you.

So you have the full picture these are the conditions we have agreed with yourself and Emma, and I have underlined the slightly amended condition:

Any person under the age of 18 must be accompanied by a responsible adult and remains the responsibility of the accompanying adult at all times when using the premises. Members of staff are not allowed to be in sole supervision of children.

There shall be no persons under 18 on the premises from 21.30 other than residents. Residents who are under 18 are not permitted in the licensed area or in the beer garden after 21.30 unless in the case of an emergency or for access reasons only.

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 shall be made available to an authorised officer upon request.

Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the venue. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner shall be given care and consideration in leaving the venue.

From 20.00 on Friday and Saturday evenings there will be one SIA registered door supervisor employed until all non-residential customers have left the premises.

Whenever regulated entertainment is taking place after 21.00 all windows and doors will be kept closed except for access and egress.

Amend the current condition 11 to read:

Whenever regulated entertainment is taking place, regular assessments taken by a competent member of staff shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any residents or businesses in the vicinity, steps will be taken to reduce the level of noise.

I presume you are happy with the above but perhaps you can confirm? I will then notify the Council of the above, or alternatively you could copy the licensing authority into your reply.

I look forward to hearing from you.

Kind regards.

Sam

Samantha Faud

From: Mark Marshall <mark.marshall@blackpool.gov.uk>
Sent: 22 September 2016 10:11
To: Samantha Faud
Cc: 'Pritchard, Emma'; Licensing la2003; Sharon Davies
Subject: RE: North Parade Guesthouse (Casey's Bar)

Hi Sam

Very happy with the conditions put forward.

Mark Marshall
Licensing and Health & Safety Manager
Blackpool Council
01253478493

From: Samantha Faud [<mailto:samantha.faud@napthens.co.uk>]
Sent: 21 September 2016 16:41
To: Mark Marshall
Cc: 'Pritchard, Emma'
Subject: North Parade Guesthouse (Casey's Bar)

Hi Mark

I have reached an agreement with Emma at the Police, but in the process I have amended one condition we had agreed. I presume you will be in agreement as it goes slightly further, but I do need to check this with you.

So you have the full picture these are the conditions we have agreed with yourself and Emma, and I have underlined the slightly amended condition:

Any person under the age of 18 must be accompanied by a responsible adult and remains the responsibility of the accompanying adult at all times when using the premises. Members of staff are not allowed to be in sole supervision of children.

There shall be no persons under 18 on the premises from 21.30 other than residents. Residents who are under 18 are not permitted in the licensed area or in the beer garden after 21.30 unless in the case of an emergency or for access reasons only.

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 shall be made available to an authorised officer upon request.

Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the venue. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner shall be given care and consideration in leaving the venue.

From 20.00 on Friday and Saturday evenings there will be one SIA registered door supervisor employed until all non-residential customers have left the premises.

Samantha Faud

From: Samantha Faud
Sent: 23 September 2016 15:01
To: 'Louise Scales'
Subject: RE: North Parade Guest House - Review of Premises Licence

Hi Louise

Thank you for your email confirming you are happy with the additional conditions we have proposed.

I have spoken to Patrick and he is happy to attend the course mentioned in your email. Are you able to send him the full details directly?

Kind regards.

Sam

From: Louise Scales [mailto:Louise.Scales@blackpool.gov.uk]
Sent: 22 September 2016 12:30
To: Samantha Faud
Subject: RE: North Parade Guest House - Review of Premises Licence

Hello Samantha,

I am happy with the proposed additional conditions on the licence for this premises. I would however ask the licence holder to volunteer to attend a Child Sexual Exploitation awareness session that Blackpool Council are running on 11th November at the Norbreck Hotel, Blackpool. An invitation will be going out soon to all licensed hotels and hospitality venues with full details.

We held a similar event in June this year, to which your client would have been invited, but on that occasion they failed to attend.

Louise.

Child Protection Licensing Officer
Blackpool Council
Albert Road
Blackpool
Tel 01253 477538

From: Samantha Faud [mailto:samantha.faud@naphthens.co.uk]
Sent: 21 September 2016 17:02
To: Louise Scales
Cc: Mark Marshall; Malcolm Ireland
Subject: North Parade Guest House - Review of Premises Licence

Good afternoon Louise

I have received a copy of your representation in relation to the above matter.

I act on behalf of the premises licence holder in relation to the review application.

I have been in discussions with Mark Marshall who applied for the review application, and also Emma Pritchard from Lancashire Police. We have reached an agreement with both Mark and Emma to add the following conditions on to the premises licence:

~~Any person under the age of 18 must be accompanied by a responsible adult and remains the responsibility of the accompanying adult at all times when using the premises. Members of staff are not allowed to be in sole supervision of children.~~

There shall be no persons under 18 on the premises from 21.30 other than residents. Residents who are under 18 are not permitted in the licensed area or in the beer garden after 21.30 unless in the case of an emergency or for access reasons only.

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 shall be made available to an authorised officer upon request.

Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the venue. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner shall be given care and consideration in leaving the venue.

From 20.00 on Friday and Saturday evenings there will be one SIA registered door supervisor employed until all non-residential customers have left the premises.

Whenever regulated entertainment is taking place after 21.00 all windows and doors will be kept closed except for access and egress.

Amend the current condition 11 to read:

Whenever regulated entertainment is taking place, regular assessments taken by a competent member of staff shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any residents or businesses in the vicinity, steps will be taken to reduce the level of noise.

I have tried to phone you to discuss the above but there was no answer. Perhaps you could let me have your thoughts on the above conditions.

I look forward to hearing from you.

Kind regards.

Sam

Samantha Faud

Solicitor

Naphthens LLP

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