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BlackpoolCouncil

17 June 2014

To: Councillors Green, Hutton, O'Hara and Brown (Reserve)

The above members are requested to attend the:

LICENSING PANEL

Wednesday, 25 June 2014 at 10.00 am in Committee Room B, Town Hall, Blackpool

AGENDA

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATIONS OF INTEREST

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 Services 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 FOR THE REVIEW OF A PREMISES LICENCE- EMPRESS HOTEL (Pages 1 58)
 - a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
 - b. DETERMINATION OF THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE-Empress Hotel
 - c. ANNOUNCEMENT OF THE DECISION FOR THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Empress Hotel

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

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	Licensing Panel	
Decision or Item number	4	
Relevant Officer:	Sharon Davies, Principal Solicitor Licensing	
Date of Meeting :	25 th June 2014	

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- EMPRESS HOTEL

1.0 Purpose of the report:

1.1 To consider an application for the review of the Premises Licence for Empress Hotel submitted by Health and Safety and the relevant representation.

2.0 Recommendation(s):

2.1 Members will be requested to determine the application.

3.0 Reasons for recommendation(s):

- 3.1 Once an application for a review has been received the application and any relevant representation must be considered by the Licensing Panel.
- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council?
- 3.2b Is the recommendation in accordance with the Council's approved Yes budget?
- 3.3 Other alternative options to be considered:

None, the application and the representations must be considered.

4.0 Background Information

4.1 Application

The Empress Hotel, 59 Exchange Street Blackpool has the benefit of a premises licence permitting:

- 1. Sale of alcohol on and off the premises
- a. Sunday-Wednesday 10.00 00.00
- b. Thursday-Saturday 10.00 01.30
- 2. Regulated entertainment
- a. Sunday-Wednesday 12.00 00.00
- b. Thursday 12.00 00.30
- c Friday-Saturday 12.00 01.00
- 3. Late night refreshment
- a. Monday-Thursday 23.00 23.30
- b Friday-Saturday 23.00 01.00

The premises may be open to the public

- 1. Sunday Wednesday 10.00 01.00
- 2. Thursday Saturday 10.00 02.30

On 8th April 2014, the licensing service received an application to review this premises licence on the grounds of public safety. A copy of the application is attached.

The licence holder is Richard Crawley
The designated premises supervisor is Kevin Scott.

4.2 Local policy considerations

The licensing authority will view particularly seriously applications for the review of any premises licence where it involves the:

- 1. Underage purchase and consumption of alcohol
- 2. Continuous breaches or contraventions of licence conditions
- 3. Where serious risks to public safety have been identified and the management is unable or unwilling to correct those
- 4. Where serious risks to children have been identified
- 5. Not operating the premises according to the agreed operating schedule

4.3 National policy considerations

Where the licensing authority considers that action under its statutory powers are appropriate, it may take the following steps:

- 1. Modify the conditions of the premises licence
- 2. Exclude a licensable activity
- 3. Remove the Designated Premises Supervisor
- 4. Suspend the licence for a period not exceeding three months
- 5. Revoke the licence.

4.4 **Observations**

This is the third review application submitted in respect of this premises

The first was submitted by Lancashire Constabulary in December 2007. At a hearing in February 2008, the panel determined the review by

- 1. Removing the designated premises supervisor
- 2, Suspending the licence for two weeks or until such time as all outstanding work has been attended to the satisfaction of the health and safety department.

The licence was in the name of a different person at that time.

The second review was submitted by health & safety in June 2013. The licence holder at that time was Harris Properties and the Designated Premises Supervisor, Paul Greenwood. The review lapsed when the premises licence was surrendered in July 2013, The premises licence was reinstated by way of a transfer application made later that month. The review should also have been re-instated but was not due to an administrative error.

The licence is currently subject to the following conditions:

Annex 1 - Mandatory conditions

- 1 Alcohol shall not be sold or supplied except during permitted hours. Permitted hours means:
- a) Sunday to Wednesday 1000 midnight
- b) Thursday to Saturday 1000 0130
- c) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on 31st December)

The above restrictions do not prohibit:

a) During the first sixty minutes after the above hours the consumption of the alcohol on the premises;

- b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- f) The sale of alcohol to a trader or club for the purposes of the trade or club;
- g) The taking of alcohol from the premises by a person residing there; or
- h) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- i) The supply of alcohol for consumption on the premises to person employed there for the purposes of business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
- 2 No supply of alcohol may be made under the premises licence -
- a) At a time when there is no designated premises supervisor in respect of the premises licence,

or

- b) At a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
- 3 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 4 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.
- 5 The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

a. Games or other activities which require or encourage, or are designed to require or encourage individuals to -

- i Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- ii. Drink as much alcohol as possible (whether within a time limit or otherwise);
- b. Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined by section 159 of the Act);
- c. Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- d. Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependant on -
- i. The outcome of a race, competition or other event or process, or
- ii. The likelihood of anything occurring or not occurring;
- 6 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 7 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 8 The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 year of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 9 The responsible person shall ensure that -
- a. Where any of the following alcoholic drink is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
- i. Beer or cider: ½ pint;
- ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
- iii. Still wine in a glass: 125ml; and
- b. Customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the Operating Schedule

1 The premises are operated in accordance with the principles outlined by the 'Nightsafe' scheme, as are relevant to those premises, and indicated in the associated leaflet.

- 2 An adequate number of licensed door supervisors will be on duty as appropriate to any risk assessment and in accordance with the guidance under the 'Nightsafe' scheme.
- 3 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.
- 4 Only toughened glass vessels are used to dispense beverages to customers.
- 5 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 6 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.
- 7 Another member of staff shall be nominated to act for the DPS, in their absence, whose identity is known by all other staff when such absence occurs.
- 8 Risk assessments carried out by or on behalf of the Licence Holder which relate to a licensing objective will be available for inspection by an officer or a responsible authority.
- 9 During the final hour of daily trading appropriate announcements are made or images are projected to remind patrons of the need to leave the premises without causing annoyance, nuisance or disturbance to local residents and to advise patrons of any taxi free-phone or collection arrangements available upon the premises. This will apply when entertainment is provided.
- 10 The volume of amplified sound used in connection with entertainment shall at all times be under the control of the licensee or management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.
- 11 Before any regulated entertainment may take place, the applicant should employ the services of a reputable sound consultant to undertake a detailed noise assessment, which should then be furnished to Environmental Services Division for their comments and recommendations. Any sound attenuation works should be carried out in accordance with the noise assessment and to the satisfaction of the Head of Environmental Services.

- 12 Noise from any regulated entertainment or mechanical ventilation will be inaudible within the nearest sensitive properties or, at the discretion of the Local Authority, shall not exceed some other pre-agreed limit, which does not cause unreasonable disturbance to the residents of these properties or their guests.
- 13 The volume of amplified sound used in connection with any regulated entertainment shall, at all times, be under the control of the licensee or management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.
- 14 Vibration produced as a result of any regulated entertainment shall not be perceptible in any adjoining or nearby sensitive properties.
- 15 All internal lobbied doors to any entrance / exit point, fire exit doors and external windows should be closed during hours of any regulated entertainment, except in the event of an emergency, save for the purposes of access and egress.
- 16 Suitable receptacles shall be provided for the storage of waste and these shall be constructed in such a way that they prevent the breaking open of these receptacles and removal of the waste by vandals, thieves, animals, accident and weather.
- 17 There will be no irresponsible drinks promotions which may encourage binge drinking.
- 18 All members of staff concerned with sales of alcohol will be trained in relation to sales of alcohol to persons under the age of 18 years.
- 19 CCTV is installed both internally and externally, including covering the main entrance.
- 20 A zero tolerance drugs policy is in place at the premises.
- 21 A maximum capacity of 200 persons is applicable to the premises, plus 50 persons in the resident's lounge.
- 22 Annual testing of the gas installation, emergency lighting and fire alarm system will take place by a qualified engineer.
- 23 There shall be signs posted at the exits reminding customers to leave quietly and with respect for local residents.
- 24 Children under the age of 16 years are only allowed in the family room and residents' lounge.

25 No persons under the age of 18 will be allowed access to any part of the premises after 2100 on any day (with the exception of persons resident at the premises.)

Does the information submitted include any exempt information?

No

List of Appendices:

Appendix 4a Application for review from Licensing Authority

Appendix 4b Representations from Lancashire Constabulary

- 6.0 Legal considerations:
- 6.1 Please see local and national policy in the background information.
- 7.0 Human Resources considerations:
- 7.1 None
- 8.0 Equalities considerations:
- 8.1 None
- 9.0 Financial considerations:
- 9.1 None

LICENSING SERVICE

For Office use only					
LalPac Application No.					
Licence Number	PL1113				

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

LICENSING ACT 2003

Review requested by: Health and Safety

Blackpool will be a Vibrant, Inclusive, Healthy, Safe and Prosperous Town



LS/F/005/12/1

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. You may wish to keep a copy of the completed form for your records.

ı	Gareth Shaw
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[insert name of person requesting review]

apply for the review of a premises licence under section 51 or apply for the review of a club premises certificate under section 87, of the Licensing Act 2003 for the premises described in part 1 below.

Part 1 - Premises Details

Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.									
	Empress Hotel								
Premises Name and Address	59 Exchange Street								
	Blackpool	Post Code	F	Υ	1		2	D	Z
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Richard Crawley									
Premises Licence o)	PL1113							

Part 2 – Applicant details

I am:

			Please tick
1)	an inte	rested party (please also complete sections 2A or 2B below)	
	a)	a person living in the vicinity of the premises	
L			
	b)	a body representing persons living in the vicinity of the premises	
	c)	a person involved in business in the vicinity of the premises	
	d)	a body representing persons involved in business in the vicinity of the premises	
	•		•
2)	a resp	onsible authority (please also complete 2C below)	√
		<u> </u>	

LS/F/005/12/1

(2A) Individual Applicants (fill in as applicable)

				_		_		Please tick
Title:	Mr	Mrs	Miss	Ms	Other	I am 18 years	Yes	No
1101				1110		old or over		
		•	•				-1	
Forenames						Surname		
1 Orellanies								
Home address								
						Post Code		-
							1 1 1	
Telephone						Mobile		
Number						Number		
E-Mail								
Address								
Addioss								

(2B) Other Applicant or Representing Body

Name					
Address					
Address			 		
		Post Code			
Telephone					
Telephone Number					
E-Mail					
Address					

(2C) Responsible Authority applicant

Name	Gareth Shaw							
	Progress House							
Address	Clifton Road							
	Blackpool	Post Code	F	Υ	4	4	U	S
Telephone Number	01253 478349							

LS/F/005/12/1

E-Mail
Address

Gareth.shaw@blackpool.gov.uk

Part 3 - Reason for Review

This application to review relates to the following licensing objective(s):

	Please tick
1) the prevention of crime and disorder	
2) public safety	V
3) the prevention of public nuisance	
4) the protection of children from harm	

Please state the ground(s) for review (please read guidance note 1 before completing)

This review is brought by the Health and Safety Enforcement section following concerns about the conditions found within the premises.

The premises have been a concern for well over 12 months, so much so that in June 2013, an application for Review was submitted, the application died following the transfer of the licence from Harris Properties to Richard Crawley, although this authority is confused as to what provision actually makes a Review in such circumstances void, it is our understanding that the in coming licence holder would inherit a Licence that is under review and the a hearing should be arranged.

That being said we did not decide to resubmit the application on the basis that some promises of re investment were made by Kevin Scott who was to be the DPS and currently still holds the postion to this date,

A senopsis of the circumstance which led to the 2013 application are found below;

The Premises Licence Holder for the Empress Hotel was Harris Properties who are based in Burton-Upon-Trent, Staffordshire.

The Designated Premises Supervisor was Paul Greenwood and from recent visits to the Empress Hotel he appears to have no involvement in the running of the premises and he has never been present during any of the inspections.

Kevin Scott describes himself as the manager of the Empress Hotel and appears to control the day to day running of the pub. The authorities are informed Mr Scott has an arrangement whereby he deposits £200 weekly into a PO Box as rent for the premises and has no other contact with Harris Properties.

Four visits have been carried out so far in 2013 and standards deteriorate further as time goes on. Assurances are given regarding improvements but they never seem to materialise.

The guidance issued under Section 182 of the Licensing Act states the following

10.26 The main purpose of the 'designated premises supervisor' as defined in the 2003 Act is to ensure that there is always one specified individual among these personal licence holders who can be readily identified for the premises where a premises licence is in force. That person will normally have been given day to day responsibility for running the premises by the premises licence holder...

10.27 The 2003 Act does not require a designated premises supervisor or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the designated premises supervisor and the premises licence holder remain responsible for the premises at all times including compliance with the terms of the 2003 Act and conditions attached to the premises licence to promote the licensing objectives.

After considering the guidance is it of concern that neither the licence holder nor DPS have any involvement in the day to day operation of the licensed premises.

On 29th January 2013 a multi-agency visit to the premises was carried out by Public Protection Officers Jacqui Harrison and Kevin Summerfield in Health and Safety, also Police and Fire Safety. Intelligence received suggested there was illegal drug cultivation in the cellar to the property, an inspection of the property revealed many failings with the property but no drugs were discovered. During the visit a gas safety certificate, electrical installation condition report, portable appliance testing and an asbestos survey were requested.

The following photographs were taken during the visit.





Photographs of the ice machine in poor state of cleanliness and corroded internally





The cellar cooler in a poor state of cleanliness and combustible materials in the cellar





Loose wires to the fire alarm above combustible materials and a leaking water pipe





Leaking pipe has flooded the cellar and gas boiler with cover missing





Electricity meter has missing security seals indicating possible evidence of meter tampering

On 28th March 2013 a further multi-agency visit was undertaken by Licensing and Health and Safety Manager Mark Marshall and Senior Public Protection Officer Gareth Shaw along with a Fire Safety officer. The same issues were still evident as in the January visit. The remains of an illegal drug cultivation setup were discovered in a disused part of the cellar, this has left the electrical installation in a dangerous condition. Gareth Shaw again requested gas and electrical reports and an asbestos survey as they were not produced following the previous visit.

The following photographs were taken during the visit.









An accumulation of packaging materials for items potentially used in drug cultivation including boxes from lighting and bags from growing medium along with fans and heater

On 13th April 2013 a visit was undertaken by Mark Marshall, Licensing and Health & Safety Manager. The property had its water supply disconnected on 9th April 2013; by the time of Mr Marshall's visit the water had been reconnected. It is concerning that poor management at the premises has resulted in an essential utility being disconnected.

The following photographs were taken during the visit which shows an accumulation of rubbish in the yard area which is blocking a fire escape route.







On 19th June 2013 a visit was undertaken by Mark Marshall Licensing and Health & Safety Manager and Public Protection Officer Jacqui Harrison.

The following photographs were taken during the visit.





The fire door marked up as a fire escape then the accumulation of rubbish blocking the egress route









Further photographs of the rubbish in the yard area. There has been an increase in the amount of waste deposited in the yard since Mr Marshall's visit on 13th April. The bottom right photograph shows a dead pigeon amongst the rubbish.







Photographs showing the damp issue in the customer toilets and evidence of a water leak from the ceiling



The fire alarm panel is showing a fault and in room 16 next to the faulty alarm panel we are informed a relative of Kevin Scott (Manager) is living there







Dangerous electrics



An emergency light with no light bulb in it



Electric cable wrapped around a copper gas pipe, if the electric cable was to be damaged it may result in the gas pipes conducting electricity leading to potential electric shocks



A gas boiler in the cellar with no evidence of annual testing, which is also a requirement of Annex 2 Condition 22 on the Premises Licence.



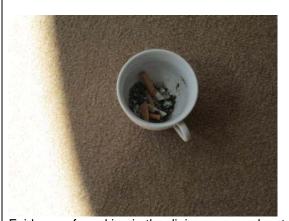








The remnants of drug cultivation equipment is still evident in the cellar, the photographs showing the wall insulation and ducting still present along with the dangerous electrics.





Evidence of smoking in the dining room and a store room with a freezer containing food and discarded mattresses





The cellar cooler still in a poor state of cleanliness and leaking water pipe pouring with water resulting in the flooded cellar





The accumulation of water on the cellar floor.





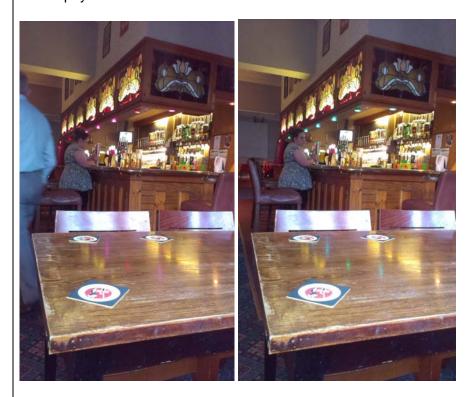
Unchained gas cylinders and an accumulation of rubbish behind the bar

The Health and Safety team are of the opinion that revocation is the only option with this licence as there appears no financial means or the will to improve standards within this licensed premises. Repeated requests for safety documentation have been ignored. There is a licence holder who simply collects his rent and a DPS who has no involvement in the premises. The manager of the business is neither licence holder nor DPS, Health and Safety have never seen a formal lease arrangement between Kevin Scott and Harris Properties so are unable to determine who is responsible for which aspects of maintenance.

Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 2 before completing)

The text and photos above paint a fairly drastic picture and as of summer last year the position was that a Revocation would be the only way to adequately safeguard the public safety objective.

7th June 2013- serving without a licence on the 7th June 2013, licence had been suspended due to non-payment.



16th August 2013 Mark Marshall visits at 22.30hrs only note in his book is STILL IN BAD ORDER

However as we moved through 2013 re visits were paid to see if Mr Scott was as good as his word. His responses were basic often requiring legal notices to be issued before a response was seen, that pattern certainly follows through to the most recent visit which was on Wednesday 2nd April 2014.





1) Smashed socket cover with signs of burnt electrics



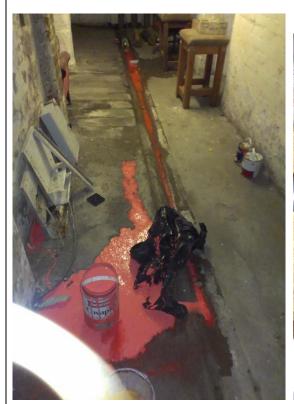


2) Overloaded extension lead and left large wooden panelling left at risk of falling over.





3) Public toilet facilities in a very poor state of repair.





4) Untidy and cluttered cellar area and left the electric meter with seals missing.





5) Live electrical conductors exposed at >200 volts.



6) Further cluttered and untidy cellar areas with high pressure CO2 cylinders left unchained.



7) Incoming air and flue arrangements that are damaged blocked by cans and debris



8) Electrical connections to outside lighting that require further investigation.





9) Accumulation of waste







10) The premises has failed to display a statutory No Smoking Notice and in addition there was evidence of smoking in the premise.

The DPS Kevin Scott was present throughout the visit and maintained a very obstructive and agitated manner. He gave us little confidence that the electrics would be made safe and in addition refused to produce any documentation stating that he had his documentation but would not be showing it to any of us.

A prohibition notice was issued in respect of the electrical issues.

During the visit Mr Scott eluded to planning issues and delays to development that he seemed to be intimating were the fault of the council. further checks were made to these allegations and the letter below explains the current position.but in short an application has not yet been received by the council to date.

A further visit was carried out to assess the electrical repairs and also to have the meter correctly sealed this was in company with Officer Keith Marsden and Electricity Northwest Officers.

The socket cover had been replaced but the exposed conductors shown above in 5) were impossible to assess as safe as they seem to have been pushed back into the ceiling and a piece cardboard stuck over the hole.

Mr Scott was present during the visit and smelt heavily of drink and appeared to be drunk. Mr Scott stated he had had an electrician to do the works but Mr Scott refused point blank to give us any contact details for the electrician. This place us in the position that we were unable to ascertain whether the electrics were safe and the prohibition notice remained in place.

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Part 4 – Other relevant information

						Please tick		
					Yes		No	
Have you made an application for review relating to this premises before?							$\sqrt{}$	
Day Month						Year		
If yes please state the date of that application								

you have made representations before relating to this premises, please state what they where and when you made them.						
Representation made 8 th January 2008 to support a Police review of the licence.						

	Please tick
I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.	V
I understand that if I do not comply with the above requirements my application will be	
rejected	V

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 4) If signing on the behalf of the applicant please state in what capacity.

Signed	Gareth Shaw
Print Name	Gareth shaw
Capacity	Senior Public Protection Officer- Health and Safety
Date	7 th June 2014

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 5)								
Title:	Mr	Mrs	Miss	Ms	Other			
Forenames					Surname			

Address for Correspondence				
associated with this application	Post Code			
Telephone	Mobile			
Number	Number			
E-Mail Address				

Notes for Guidance

- 1. The grounds for review must be based on one of the licensing objectives.
- 2. Please list any additional information or details for example dates of problems that are included in the grounds for review if available.
- 3. The application form must be signed.
- 4. An applicant's agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
- 5. This is the address that we shall use to correspond with you about this application.

Blackpool Council Licensing Service

Representation made by a Responsible Authority In support of an application for the Review of an existing Premises Licence or Club Premises Certificate

Responsible Auth	ority making	represen	tation					
Name of Responsible Authority		Lancashire Constabulary						
Name of Officer (please print)		PC 4107 Emma Pritchard						
Signature of Office	r .	Erri	-cha	ind				
Contact telephone	number		,		01253 6	04079		
Date representation	n made	22	04	14				
Do you consider m	ediation to be a	appropriat	te		YES	NO		
Name of Respons	ible Authority	/ Applica	ant who	requeste	d a revie	w of this Lic	ence	
Health & Safety G	areth Shaw			-				
Premises Details							entral (E) annual (E) annual (E)	
Premises Name	The Empress							
Address	59 Exchange	Street				-		,
	Blackpool							
								·
Post Code	FY1 2DZ							
Details of your rep (Please reference of					oplication			
Please see attache	ed 17 pages.							



Licensing File Note

Premises

THE EMPRESS, EXCHANGE STREET

Information/Complaint: REPORT THAT THE LANDLORD HAS A SWORD AND A BASEBALL BAT THAT HE USES FOR PROTECTION AND KEEPS THEM BEHIND THE BAR.

Log/Crime Number

LC-20131022-0670

Date premises visited:

5TH NOVEMBER 2013

Persons Spoken to

KEVIN SCOTT (DPS)

Action Taken: I ATTENDED THE PREMISES AT APPROXIMATELY 3PM BUT KEVIN SAID HE WAS NOT OPEN TO THE PUBLIC ALTHOUGH THE DOOR WAS CLOSED BUT OPEN AND I WALKED STRAIGHT INTO THE PREMISES WHERE I SAW KEVIN BEHIND THE BAR AND TWO OTHER MALES DRINKING ALCOHOL, I ASKED KEVIN ABOUT THE CCTV AND CAN NOW CONFIRM ALL CAMERAS WORK, HE SAID THAT HE HAD PURCHASED A NEW HARD DRIVE READY FOR WHEN HE NEEDED MORE MEMORY FOR THE 'GAMES ROOM' WHICH IS STILL BEING REFURBISHED, HE ALSO SHOWED ME STAFF TRAINING WHICH WAS A TEST THAT HE GOT HIS. WIFE TO DO, I HAVE ADVISED HIM TO GET HER TO SIGN AND DATE THIS. THE TRAINING IS VERY BASIC. THERE ARE NOW DRUGS POSTERS AND CHALLENGE 25 POSTERS UP AT THE MAIN DOOR UPON ENTRANCE TO THE PUB AND SOME DOCUMENTED TOILET CHECKS, HOWEVER KEVIN COULD NOT SHOW ME HIS RISK ASSESSMENTS RELATING TO THE LICENSING OBJECTIVES BUT HE SAID HE HAD DONE THEM (I WILL RE-VISIT TO CHECK THIS).

AS I WAS SPEAKING TO KEVIN BEHIND THE BAR I SAW A LARGE SWORD LEANING AGAINST THE DISHWASHER AND ASKED KEVIN WHAT IT WAS, HE SAID THAT IT WAS AN ORNIMENTAL SWORD THAT WENT WITH A PHOTOGRAPH HE HAD. I ASKED WHY IT WAS BEHIND THE BAR AND HE SAID HE HAD BOUGHT IT DOWN THE OTHER DAY TO SHOW HIS FRIEND AS PART OF THE HANDLE WAS BROKEN AND IT NEEDED SOLDERING, I ADVISED HIM THAT IT WAS AN OFFENSIVE WEAPON AND THAT IT SHOULDN'T BE KEPT BEHIND THE BAR OF A LICENSED PREMISES. KEVIN THEN SAID THAT HE HAD A BASEBALL BAT AND POINTED TO A LARGE METALLIC BASEBALL BAT ALSO BEHIND THE COUNTER BUT HIDDEN BY SOME OTHER ITEMS, HE SAID THAT HE HAD A LEGITIMATE REASON FOR HAVING IT THERE AS HE TAKES THE DOGS OUT FOR WALKS AND HITS A BALL WITH THE BAT. I SAID THAT THIS SHOULD BE KEPT

UPSTAIRS IN HIS PRIVATE AREAS. IN MY PRESENCE ONE OF KEVINS FRIENDS TOOK BOTH THE SWORD AND THE BASEBALL BAT UPSTAIRS.

Officer: PC 4107 PRITCHARD

Further Action Required Yes

If 'Yes' Indicate details RE-VISIT TO CHECK RISK ASSESSMENTS.



Licensing File Note

Premises : THE EMPRESS HOTEL, EXCHANGE STREET

Information/Complaint: NEW DPS INTERVIEW AND FULL LICENSING

VISIT

Log/Crime Number

Date premises visited: 13:00HRS THURSDAY 5TH SEPTEMBER 2013

Persons Spoken to : KEVIN SCOTT (DPS)

Action Taken: ALL LICENCE CONDITIONS GONE THROUGH; WARNING LETTER SENT RE NO RISK ASSESSMENTS RELATING TO THE LICENSING OBJECTIVES. I HAVE SENT AN EXAMPLE OF THIS BY EMAIL SO THAT KEVIN CAN ADAPT IT. THERE WAS ALSO NO DOCUMENTED PROOF OF AGE TRAINING. AT FIRST KEVIN SAID IT WAS ONLY HIMSELF WHO SERVED ALCOHOL BUT LATER HE MENTIONED A GENTLEMAN WHO HELPS HIM OUT SOMETIMES WHO IS A PERSONAL LICENCE HOLDER, I HAVE TOLD KEVIN TO GET HIM TO COMPLETE TRAINING.

THERE IS A CCTV SYSTEM IN PLACE THAT RECORDS FOR AT LEAST 30 DAYS, HOWEVER KEVIN DID NOT KNOW HOW TO DOWNLOAD FROM THE SYSTEM AND DID NOT HAVE A MEMORY STICK ON THE PREMISES TO DO THIS. I HAVE ADVISED KEVIN THAT IT IS HIS RESPONSIBILITY TO DOWNLOAD INCIDENTS AT THE REQUEST OF THE POLICE AND I HAVE ASKED HIM TO GET A MEMORY STICK AND PRACTICE DOING THIS. THERE ARE 7 CAMERAS BUT TWO OF THE CAMERA LEADS WERE FAULTY SO KEVIN IS LOOKING INTO REPAIRING THESE-THESE CAMERAS ARE THE ONES COVERING THE AREA OF THE STREET OUTSIDE OF THE FRONT DOOR (THERE IS STILL ANOTHER CAMERA COVERING THE OTHER SIDE OF THE STREET) AND THE SECOND CAMERA LOOKS AT THE BAR FROM A DIFFERENT ANGLE. THERE IS CURRENTLY SPACE FOR 16 CAMERAS AND KEVIN HAS A SPARE CCTV SYSTEM AVAILABLE SO WHEN THE WORK IN THE 'POOL ROOM' IS FINISHED HE WILL MAKE SURE THIS IS ALSO COVERED BY CCTV.

I HAVE SENT DRUGS POSTERS, DRUGS BAGS AND A DRUGS RECORDING SHEET TO KEVIN AND HAVE ADVISED HIM TO DO DOCUMENTED TOILET CHECKS.

ALSO DISCUSSED WAS THE CONDITION THAT STATES CHILDREN UNDER THE AGE OF 16 YEARS ARE ONLY ALLOWED IN THE FAMILY

ROOM AND RESIDENTS LOUNGE. KEVIN WASN'T AWARE OF THIS CONDITION AND IT IS NOT CLEAR WHERE THE FAMILY ROOM OR RESIDENTS LOUNGE IS, HOWEVER I WOULD SAY THE FAMILY ROOM WOULD BE THE ONE THAT IS CURRENTLY BEING REFURBISHED AND RESIDENTS LOUNGE COULD BE THE AREA NEAR TO THE DANCE FLOOR. I HAVE TOLD KEVIN TO USE THIS AREA AS THE AREA WHERE UNDER 16'S CAN GO AS IT IS AWAY FROM THE BAR AND IS A SEPARATE ROOM, ALBEIT CHILDREN WILL HAVE TO WALK PAST THE BAR TO GET TO THIS ROOM. ONCE THE FAMILY ROOM HAS BEEN REFURBISHED THIS CAN BE USED AS THE AREA FOR UNDER 16'S AS KEVIN DOES NOT INTEND TO HAVE THE BAR OPEN IN THAT ROOM.

KEVIN HAS ALSO SAID THAT A PLANNING APPLICATION HAS GONE IN TO CHANGE THE HOTEL INTO 10 LUXURY APARTMENTS SO HE DOES NOT KNOW HOW THIS WILL AFFECT THE PUB IN THE FUTURE BUT CURRENTLY IT IS OPEN AS A PUB WITH HOTEL ROOMS AVAILABLE FOR GUESTS. KEVIN ALSO SAID THAT HE HAD BEEN TOLD BY A CUSTOMER THAT RESIDENTS COULD DRINK FOR 24 HOURS, HOWEVER I HAVE TOLD HIM THIS IS NOT THE CASE AND THE LATEST TIME THAT ALCOHOL CAN BE SERVED TO ANYONE IS 01:30AM THURSDAY-SATURDAY.

Officer: PC 4107 PRITCHARD

Further Action Required Yes

If 'Yes' Indicate details RE-VISIT TO CHECK RISK ASSESSMENTS, PROOF OF AGE AND CCTV.







Nightsafe Department
Blackpool Central Police Office
Bonny Street
Blackpool
Lancashire
FY1 5RL

5th September 2013

Dear Mr Kevin Scott,

Re: The Empress Hotel, 59 Exchange Street, Blackpool, FY1 2DZ.

In relation to the Licensing Act 2003 I would like to bring to your attention the fact that as of the 24th November 2005 the new licensing act came into force and will be rigorously enforced by all of the enforcement officers in the town.

On Thursday 5th September 2013, the above premises were visited and found to be operating outside the conditions of the premises licence as outlined below.

8 Risk assessments carried out by or on behalf of the Licence Holder which relate to a licensing objective will be available for inspection by an officer or a responsible authority.

At the time of my visit there was no documented risk assessment in place. I have attached an example of this for you to adapt.

18 All members of staff concerned with sales of alcohol will be trained in relation to sales of alcohol to persons under the age of 18 years.

At the time of my visit there was no evidence of documented training in place. You should either produce staff training which should be signed and dated by each member of staff or you can access training material on websites such as www.abvtraining.co.uk

20 A zero tolerance drugs policy is in place at the premises.

Although you have signs relating to your drugs policy you have no documented tollet checks. I have also attached some drugs posters for your toilets which I will send through the post as well as drugs bags.

I would also advise that in accordance with section 136 (1) of The Licensing Act 2003 "A person commits an offence if a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than in accordance with an authorisation, b) he knowingly allows a licensable activity to be so carried on".

The maximum penalty for this offence is six months imprisonment and/or a fine not exceeding £20,000.

Please take this letter as a formal warning that if your premises are found to be operating outside the conditions again then formal proceedings will be taken.

A copy of this letter will be retained on your premises file and maybe used against you in subsequent hearings.

Please contact me when you have completed these actions or have any complications/ queries.

Yours sincerely,

PC 4107 Emma Pritchard Blackpool Licensing Department Tel: 01253 604079

Logs from 15/07/2013 - 22/04/2014

Incident Report - LC-20131022-0670

Date:

22/10/2013

Time:

14:26 hours

Informant:

01253

01253

Informant Contact Numbers:

Informant Address:

56 SUTHERLAND ROAD BLACKPOOL

Incident Location:

AXCM

Incident Address:

59 EMPRESS HOTEL EXCHANGE

STREET BLACKPOOL

Class:

Suspicious Circumstances

Type:

SUSPICIOUS_CIRCS

Details:

REPORTING LANDLORD - CALLED

KEVIN - HAS A SWORD AND A BASEBALL BAT--HAVE SEEN THEM BOTH--HE STATES HE USES THEM FOR PROTECTION--HE STATES THEY ARE

UNDER THE BAR--

4075;3649;7260;7759;7373CAN YOU RUN

BY SGT TO SEE IF

Officer Dealing:

14644

Involved Vehicles:

Officers Attended:

Call Signs Attended:

Local Requirements:

NQ NQ -

Related Actions:

22/10/2013 14:28 hours 12397

12397 - (E-CAL108)

REPORTING LANDLORD - CALLED KEVIN - HAS A SWORD AND A

BASEBALL BAT

22/10/2013 14:28 hours 12397

12397 - (E-CAL108)

22/10/2013 14:28 hours 12 HAVE SEEN THEM BOTH	2397 1	2397 - (E-CAL108)	
22/10/2013 14:29 hours 12	397 1	2397 - (E-CAL108)	
22/10/2013 14:29 hours 12 HE STATES HE USES THE			
22/10/2013 14:29 hours 12	397 12	2397 - (E-CAL108)	,
22/10/2013 14:30 hours 12: HE STATES THEY ARE UN			
22/10/2013 14:30 hours 12:	397 12	397 - (E-CAL108)	
22/10/2013 14:31 hours 123 4075;3649;7260;7759;7373	397 12	397 - (E-CAL108)	
22/10/2013 14:31 hours 123 CAN YOU RUN BY SGT TO THANKS	397 12 SEE IF WE	397 - (E-CAL108) ND TO TAKE ANY	ACTION.
22/10/2013 14:35 hours 146 AX24 - AWARE - WILL VIEW		644 - (A-FAC055)	
22/10/2013 14:35 hours 146	144 14	644 - (A-FAC055)	
22/10/2013 14:38 hours 395 AX24: PLS MAKE LICENSING CONDUCT RELEVANT INTE	G AWARE C	50 - (WEBSTORM) OF THIS LOG. ALSO O THIS MALE.	
22/10/2013 14:39 hours 395 TRANSFERRED BY WEBST		50 - (WEBSTORM)	

22/10/2013 14:41 hours NOTHING ON INTEL RENAMED KEVIN		14644 - (A-FAC055) O THE ADDRESS AND LANDLORD
NAMED VEALU		and the second s
22/10/2013 14:41 hours	14644	14644 - (A-FAC055)
_		
22/10/2013 14:41 hours		14644 - (A-FAC055)
WILL PASS TO LICENS	ING/NHP/I	NTEL.
22/10/2013 14:42 hours	14644	14644 - (A-FAC055)
Disposition code: `353`	•	
22/10/2013 14:42 hours	14644	14644 - (A-FAC055)
No. of Arrests 0 F.A. 0=1	√1=Y 0 No	. of Reports 0
22/10/2013 14:42 hours	14644	14644 - (A-FAC055)
Handling Officer 14644		
22/10/2013 14:42 hours	14644	14644 - (A-FAC055)
Qualifiers No Qualifier		
22/10/2013 14:42 hours	14644	14644 - (A-FAC055)
Other Factors No Qualifi	ers	
22/10/2013 14:42 hours	14644	14644 - (A-FAC055)
LC-20131022-0670 HAS	BEEN DIS	SPOSED

Incident Report - LC-20130916-0009

Date:

16/09/2013

Time:

00:20 hours

Informant:

SAMMY SCOTT

Informant Contact

Numbers:

Informant Address:

EMPRESS HOTEL 59 EXCHANGE

STREET BLACKPOOL FY12DZ

Incident Location:

AXCM

Incident Address:

59 EMPRESS HOTEL EXCHANGE

STREET BLACKPOOL

Class:

Personal

Type:

PERSONAL

Details:

CALLER REPORTING A GUEST BEING ABUSIVE AND WON'T LEAVE-FEMALE

ABUSIVE AND WON'T LEAVE-FEM, IS DRUNK AND AGGRESSIVE

BEHAVIOUR TOWARDS THE

CALLER.OFFENDER IS THE MOTHER
OF ONE OF THE LOCALS.-CALLER
WANTED TO ALLOW THE PERSON TO

STAY BUT DUE TO HE

Officer Dealing:

2859

involved Vehicles:

Officers Attended:

3957 2859

Call Signs Attended:

AX45N AX36N

Local Requirements:

NQ NQ

Related Actions:

16/09/2013 00:21 hours -21432

21432 - (A-CAL112)

CALLER REPORTING A GUEST BEING ABUSIVE AND WON'T LEAVE

16/09/2013 00:21 hours 21432

21432 - (A-CAL112)

16/09/2013 00:24 hours 21432

21432 - (A-CAL112)

FEMALE IS DRUNK AND AGGRESSIVE BEHAVIOUR TOWARDS THE CALLER.

16/09/2013 00:24 hours 21432

21432 - (A-CAL112)

NE OF THE LOCALS.
21432 - (A-CAL112)
21432 - (A-CAL112) PERSON TO STAY BUT DUE TO AT SHE LEAVES.
21432 - (A-CAL112)
21432 - (A-CAL112)
21432 - (A-CAL112)
21432 - (A-CAL112) COMPLETION:QUESTIONS NOT
19427 - (A-DIS023NX) ne 1:CAROL Birth Date:
19427 - (A-DIS023NX) BEEN REMOVED AND TOLD NOT
19427 - (A-DIS023NX)
19427 - (A-DIS023NX) of Reports 0
19427 - (A-DIS023NX)

16/09/2013 00:52 hours 19427 Qualifiers No Qualifier	19427 - (A-DIS023NX)
16/09/2013 00:52 hours 19427 Other Factors No Qualifiers	19427 - (A-DIS023NX)
16/09/2013 00:52 hours 19427	19427 - (A-DIS023NX)

Incident Report - LC-20130819-0123

Date:

19/08/2013

Time:

02:51 hours

Informant:

Informant Contact

Numbers:

Informant Address:

EMPRESS HOTEL 59 EXCHANGE

STREET BLACKPOOL

Incident Location:

AXCM

Incident Address:

59 EMPRESS HOTEL EXCHANGE

STREET BLACKPOOL

Class:

Nuisance

Type:

NUISANCE

Details:

ONE MALE REFUSING TO LEAVE THE PREMISESHE IS NOT DOING NAYTHING NOW BUT REFUSING TO LEAVE HE HAS BEEN CAUSING PROBLEMS WITH HIS FAMILY EARLIERMALE HAS NOW

LEFT WITH HIS FAMILY

Officer Dealing:

12816

Involved Vehicles:

Officers Attended: Call Signs Attended:

Local Requirements:

NQ NQ

Related Actions:

19/08/2013 02:51 hours 12816

12816 - (C-DIS025)

ONE MALE REFUSING TO LEAVE THE PREMISES

19/08/2013 02:52 hours . 12816

12816 - (C-DIS025)

HE IS NOT DOING NAYTHING NOW BUT REFUSING TO LEAVE HE HAS BEEN CAUSING PROBLEMS WITH HIS FAMILY EARLIER

19/08/2013 02:53 hours 12816

12816 - (C-DIS025)

QUESTION SET EXITED BEFORE COMPLETION: CLASS AMENDED

19/08/2013 02:53 hours 12816

12816 - (C-DIS025)

MALE HAS NOW LEFT WITH HIS FAMILY

· · · · · · · · · · · · · · · · · · ·		
19/08/2013 02:54 hours	12816	12816 - (C-DIS025)
Disposition code: `471`		
19/08/2013 02:54 hours	12816	12816 - (C-DIS025)
No. of Arrests 0 F.A. 0=N	1 1=Y 0 No	o. of Reports 0
19/08/2013 02:54 hours	12816	12816 - (C-DIS025)
Handling Officer 12816		
19/08/2013 02:54 hours	12816	12816 - (C-DIS025)
Qualifiers No Qualifier		
19/08/2013 02:54 hours	12816	12816 - (C-DIS025)
Other Factors No Qualific	ers	, ,
19/08/2013 02:54 hours	12816	12816 - (C-DIS025)
LC-20130819-0123 HAS	REEN DIS	SPOSED.

Incident Report - LC-20130721-0364

Date:

21/07/2013

Time:

03:12 hours

Informant:

LANDLORD.

Informant Contact

Numbers:

Informant Address:

EMPRESS HOTEL 59 EXCHANGE

STREET BLACKPOOL FY12DZ

Incident Location:

AXCM

Incident Address:

59 EMPRESS HOTEL EXCHANGE

STREET BLACKPOOL

Class:

Suspicious Circumstances

Type:

SUSPICIOUS_CIRCS

Details:

CALLER IS INSIDE THE ADDRESSCAN
HEAR SOMEONE BANGING ON THE
DOORS AND WINDOWS TRYING TO
GET INCAN'T SEE THEM AS HE IS ON
THE SECOND FLOOR-SOUNDED AS IF
IT WAS 2/3 LADS TRYING TO GET INICALLER WONDERS IF THEY'VE GIV

Officer Dealing:

4175

Involved Vehicles:

Officers Attended:

3400 708

Call Signs Attended:

AX33N AX21

Local Requirements:

NQ NQ

Related Actions:

21/07/2013 03:13 hours 21868

21868 - (A-CAL111)

CALLER IS INSIDE THE ADDRESS

21/07/2013 03:13 hours 21868

21868 - (A-CAL111)

CAN HEAR SOMEONE BANGING ON THE DOORS AND WINDOWS

TRYING TO GET IN

21/07/2013 03:13 hours 21868

21868 - (A-CAL111)

CAN'T SEE THEM AS HE IS ON THE SECOND FLOOR

21/07/2013 03:14 hours 21868

21868 - (A-CAL111)

		
21/07/2013 03:14 hour	s 21868	21868 - (A-CAL111)
SOUNDED AS IF IT W	/AS 2/3 LAD	OS TRYING TO GET INI
21/07/2013 03:14 hours	s 21868	21868 - (A-CAL111)
-		
21/07/2013 03:14 hours	s 21868	21868 - (A-CAL111)
CALLER WONDERS IF	THEY'VE	GIVEN UP
21/07/2013 03:14 hours	21868	21868 - (A-CAL111)
BUT ISN'T PREPARED CHECK) TO OPEN	THE MAIN DOORS IN ORDER TO
21/07/2013 03:14 hours	21868	21868 - (A-CAL111)
		12441 - (A-DIS023NX) ALE ON THE CORNER NO ONE
21/07/2013 03:20 hours AX35N: ELDERLY COU	12441 IPLE WAIT	12441 - (A-DIS023NX) ING FOR A TAXI
21/07/2013 03:26 hours Disposition code: `353`	12441	12441 - (A-DIS023NX)
21/07/2013 03:26 hours No. of Arrests 0 F.A. 0=N		12441 - (A-DIS023NX) . of Reports 0
21/07/2013 03:26 hours Handling Officer 4175	12441	12441 - (A-DIS023NX)
21/07/2013 03:26 hours Qualifiers No Qualifier	12441	12441 - (A-DIS023NX)
21/07/2013 03:26 hours	12441	12441 - (A-DIS023NX)

Other Factors No Qualifiers

21/07/2013 03:26 hours 12441 12441 - (A-DIS023NX) LC-20130721-0364 HAS BEEN DISPOSED

23/07/2013 11:08 hours 1222 1222 - (QQ-TIU009) 1222 TIU - SEENA ND NOTED RESULT - NO OFFENCES.....RC2SDB Document is Restricted

