

MINUTES OF LICENSING PANEL MEETING - TUESDAY, 28 JULY 2020

Present:

Councillors

G Coleman Critchley R Scott

In Attendance:

Sharon Davies, Senior Licensing Solicitor
John Greenbank, Democratic Governance Senior Adviser (Scrutiny)

1 APPOINTMENT OF CHAIRMAN

Resolved: That Councillor Scott be appointed Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

There were no declarations of interest made on this occasion.

3 PROCEDURE FOR THE MEETING

The Chairman explained the procedure for the meeting, including the order in which the applicant and objector would be heard and that the decision of the Panel would be communicated in writing within five-working days.

4 APPLICATIONS TO VARY PREMISES LICENCES AT LAWTON HOTEL, 58-68 CHARNLEY ROAD, BLACKPOOL, FY1 4PF AND THE BEECHFIELD HOTEL, 106-110 HORNBY ROAD, BLACKPOOL, FY1 4QS

The Panel considered applications to vary Premise Licences at the Lawton Hotel, 58-68 Charnley Road, Blackpool, FY1 4PF and The Beechfield Hotel, 106-110 Hornby Road, Blackpool, FY1 4QS.

Mr Mark Woosnam, on behalf of the applicant, accompanied by Mr Darren Wilkinson (the applicant) outlined the case for approving the application. Mr Woosnam informed the Panel that the application had been developed in consultation with Lancashire Constabulary and the Council's Environmental Health and Environmental Protection teams. He noted that none of these had objected to the application and added that Mr Wilkinson and the hotels had never been the subject of a licensing review. The hotels themselves were described as large and busy, catering for up to forty-two thousand guests a year and employing up to fifty-five people, although it was highlighted that the lockdown imposed as part of the response to the COVID-19 pandemic had meant that fewer had been retained during 2020. Mr Wilkinson was also noted to have invested in improving both hotels through the installation of CCTV, Superfast Broadband and the expansion of the car park at the Beechfield Hotel to accommodate both guest and pay and display day visitors.

It was explained that the application had been submitted, in part, to standardise the licensed hours at the two hotels which were both owned by Mr Wilkinson. This would

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make it easier for staff to operate at both locations. Mr Woosnam also stated in response to objections raised in the written submissions contained within the agenda that the extended licencing hours and the hours where live music could be played did not constitute the hotels seeking to operate as 'nightclubs'. He explained that the changes were intended to attract members of the public to the hotels to dine in their restaurants and enjoy live entertainment. It was also detailed that the early drinking hours in the application which would allow the purchase of alcohol from 7.00am, would be restricted to those also purchasing a breakfast in the hotel between the hours 7.00am to 9.00am.

Mr Woosnam stated that Mr Wilkinson took the responsibility of holding Premises Licences very seriously and was aware of the serious consequences of breaching any conditions imposed. He added that the hotels core business was there guests and that it was not in Mr Wilkinson's interest to allow members of the public accessing the hotels to disrupt their experience. Mr Woosnam also stated that the applications would be similar to the Premises Licences held by other hotels in Blackpool.

The Panel queried what musical entertainment currently took place at the hotels. In response Mr Woosnam explained that none currently took place at the Lawton Hotel and it was permitted until 12.00am at the Beechfield Hotel. He added that the application, if granted, would allow entertainment until 2.00am at both hotels, but that it was not foreseen that it would be regularly needed up until this time.

Members of the Panel also asked how Mr Wilkinson intended to control access to the hotels with people seeking to purchase alcohol from 7.00am. Mr Woosman replied that access to the hotels was through reception areas, where anyone displaying signs of being drunk would be prevented from proceeding inside. He again emphasised that protection of the hotels guests was the top priority of Mr Wilkinson and he did not wish to gain a reputation for allowing people to become drunk and disorderly at his hotels.

The Panel also queried access between the two hotels which could be achieve through the rear gates of the Beechfield Hotel. In particular it was asked that if granted would this gates be left open twenty-four hours a day and expressed concern that use of this gate could cause noise and other nuisance to local residents late at night. Mr Wilkinson replied that currently the gates were locked from between 9.30pm and 10.00pm and that would continue to be the case if the application were granted.

Mr Simon Mitchell, objector and local resident, stated that he had caught a number of people causing public nuisance, including being drunk and undertaking sexual activity, in the alley behind the Beechfield Hotel close to his property. He also explained that criminal damage had been caused to his car and that some guest of the hotels had been abusive to him and other residents, he therefore asked how it was intended that such behaviour would be policed by the hotels. Mr Woosnam replied that consideration would be given to the use of door staff to prevent access to both hotels by people behaving inappropriately and noted that the licences obligated Mr Wilkinson not to serve individuals who appeared to be drunk. He also stated that the installation of new CCTV cameras at both hotels would allow Mr Wilkinson to supply any footage of public nuisance with the Police if necessary.

Mr Mitchell also asked how the hotels would police individuals using the front patio of the Lawton Hotel after 11.00pm in breach of its Premises Licence. Mr Wilkinson replied

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that a designated smoking area had been constructed at the Lawton Hotel which guests and staff would be directed to use and Mr Woosnam added that Mr Wilkinson was committed to ensure that the conditions attached to his licence were met.

Ms Sharon Davies, Legal Adviser to the Panel, informed Members that there appeared to be a discrepancy with the current Premise Licence for the Beechfield Hotel that listed two contradictory conditions. It appeared that the current licence listed licenced hours of 6.00am until 1.30am Sunday to Thursday and until 2.30pm Friday and Saturday, however a another condition limited hours to 12.00pm to 12.00am. It was noted that the hotel had operated the hours from 6.00am since 2005 without any complaint or review from the Council's Licensing Service.

Mr Michael Hoyle, objector, and Mr Simon Mitchell, objector, outlined their case for refusing the applications to the Panel. Mr Hoyle explained that he was unaware of any other hotel in the Charnley Road or Hornby Road area of Blackpool having the hours for the serving of alcohol being applied for. He further expressed the view that the combination of extended hours for serving alcohol and playing of live music would create nightclub style entertainment which would be disruptive to the area around the hotels. He also noted that Council policy prevented the locating of nightclubs outside of the town centre, stating that neither of the hotels were in this area. Mr Hoyle also expressed concerns regarding the safeguarding of children, large groups of whom were often guests at the hotels. If the nightclub style entertain was allowed he stated children staying at the hotels would be at risk from members of the public consuming alcohol, with little mitigation to control their behaviour.

Mr Hoyle also stated that the extended hours would create unnecessary public nuisance and impact negatively on the quality of life of local residents, including families, through potential increases in crime and disorder. He also stressed that a large number of objections had been received from local residents to the applications. For these reasons Mr Hoyle asked that the applications to vary the Premises Licences be refused.

Mr Mitchell informed the Panel that granting the applications would result in significant disruption to the local area and would encourage poor behaviour by guest and members of the public. He also asked if any consideration had been given to retraining staff to deal with any increases in disruption that could occur. Mr Wilkinson responded that significant investment had been made in CCTV and the hotels already possessed experienced bar and night staff who would be able to deal with any instances of poor behaviour at either hotel.

Mr Mitchell also highlighted the large number of public objections from local residents to the applications and asked that the Panel listen to their concerns. For these reasons Mr Mitchell asked that the applications be refused.

The Panel considered the representation made by the applicant and objectors and recognised the concerns raised regarding the early opening hours and potential disruption that this could cause. Members were of the view that 7.00am was too early for the sale of alcohol at both the Lawton and Beechfield Hotels and instead agreed that the earliest time that alcohol could be served should be 9.00am at both hotels.

In respect of the Lawton Hotel, Members agreed that non-residents of the hotel could

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access the site for use of its facilities. It was also agreed that the licenced hours Friday to Saturday could be extended until 2.30am, however that for Sunday to Thursday should remain at 1.00am.

In respect of the Beechfield Hotel, members agreed that the application to remove existing condition be granted and that regulated entertainment be allowed on the site. It was also noted that the Hotel's existing licence allowed alcohol to be served until the hours being applied for and therefore it would be inappropriate for the Panel to seek to change these, recognising that this licence had been held since 2005 with no issue. In order to ensure that any public nuisance was protected against the Panel also agreed to recommend to Mr Wilkinson that the gates to the rear of the hotel be locked from 10.00pm until 6.00am everyday.

Resolved: that;

The application to vary a Premises Licence for the Lawton Hotel, 58-68 Charnley road, Blackpool, FY1 4PF be granted subject to the following conditions:

1. The sale of alcohol to non-residents will be permitted 09.00 – 01.00 Sunday to Thursday and 09.00 – 02.30 Friday and Saturday;
2. Late night refreshment will be amended to 02.30 Friday and Saturdays only;
3. Condition 1, 3 and 13 in Annexe 2 will be removed from the licence; and
4. Condition 5 of Annexe 2 will be amended by replacing Challenge 21 with Challenge 25.

And

The application to vary a Premise Licence for the Beechfield Hotel, 106-110 Hornby Road, Blackpool, FY1 4QS be granted subject to the following conditions:

1. The sale of alcohol to non-residents will be permitted 09.00 – 01.30 Sunday to Thursday and 09.00 – 02.30 Friday and Saturday;
2. Live music and performance of dance will be extended to 01.00 Sunday – Thursday and 02.00 on Friday and Saturday;
3. An additional hour for all activities on Christmas Eve, Christmas Day, Boxing Day and New Year's Eve;
4. Condition 1 of Annexe 1 and conditions 1-5, 10 - 11, 19, 26 and 27 in Annexe 2 will be removed from the licence (conditions 26 and 27 would be replaced by an updated CCTV condition);
5. Condition 8 of Annexe 2 will be replaced by a Challenge 25 condition;
6. A condition would be added to the licence that the gate from the car park would be closed to the public between the hours of 22.00 and 06.00 each day.

Chairman

(The meeting ended 4.23 pm)

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Any queries regarding these minutes, please contact:
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