

MINUTES OF LICENSING PANEL MEETING - MONDAY, 8 MARCH 2021

Present:

Councillors

Cox

Hutton

D Scott

In Attendance:

Sarah Chadwick, Democratic Governance Advisor

Sharon Davies, Senior Licensing Solicitor

1 APPOINTMENT OF CHAIRMAN

The Licensing Panel considered the appointment of a Chairman for the meeting.

Resolved:

That Councillor Hutton be appointed Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

There were no declarations of interest on this occasion.

3 PROCEDURE FOR THE MEETING

The Chairman explained the procedure for the meeting, including the order in which the review applicant, licence holder and supporting representations would be heard and that the decision of the Panel would be communicated by email within 48 hours.

4 EXCLUSION OF PRESS AND PUBLIC

The Panel received a request from Lancashire Constabulary to hold the hearing in private due to ongoing criminal investigations into activities at the hotel. The Panel concluded it was in the interest of all parties to hold the hearing in private to avoid the disclosure of information in relation to that investigation.

Resolved:

That under Paragraph 14(2) of The Licensing Act 2003 (Hearings) Regulations 2005, the public and press be excluded from the meeting for Agenda Item Four, Application to Review a Premises Licence for the New President Hotel.

5 APPLICATION TO REVIEW A PREMISES LICENCE - NEW PRESIDENT HOTEL, 320-324 NORTH PROMENADE

The Licensing Panel considered an application for the review of the Premises Licence in respect of the New President Hotel, 320-324 North Promenade, Blackpool. The review application had been submitted by Lancashire Constabulary and supporting representations had been received from the Licensing Authority, Child Protection Licensing Officer and Lancashire Fire and Rescue Service.

MINUTES OF LICENSING PANEL MEETING - MONDAY, 8 MARCH 2021

Sergeant Helen Parkinson appeared before the Panel on behalf of Lancashire Constabulary and explained that the review had been submitted following the discovery of a substantial cannabis farm in November 2020 on the upper floors of the hotel. Sergeant Parkinson expressed the view that the operation was typical of an organised criminal gang. Extensive wiring and equipment had been installed in the hotel and the electricity supply to the premises had been bypassed presenting a fire safety risk.

Sergeant Parkinson explained that the hotel had been under the same ownership for approximately 30 years and had closed in March 2020 due to the Coronavirus restrictions. The owner, Mrs Elizabeth Walsh, had advised the Police that the hotel had not reopened upon the easing of lockdown restrictions in July 2020 due to a downturn in coach bookings and in anticipation of a second lockdown. Sergeant Parkinson indicated to the Panel the reasons why she was of the opinion that it was appropriate for the promotion of the licensing objectives to revoke the licence. To avoid prejudicing the outcome of the criminal investigation, these reasons are not repeated here.

Sergeant Parkinson explained that in deciding what action to take it was not for the Panel to decide whether the Licence Holder had any criminal responsibility for the cannabis operation. She referred the Panel to the relevant sections of the guidance issued under Section 182 of the Licensing Act, namely paragraphs 11.24 and 11.27, and recommended that the Premises Licence be revoked.

Mr Lee Petrak, Licensing and Trading Standards Manager, presented representations on behalf of the Licensing Authority. Mr Petrak expressed serious concerns about the use of licensed premises for the cultivation of controlled drugs and endorsed Sergeant Parkinson's recommendation to revoke.

Mrs Louise Scales, Child Protection Licensing Officer, presented representations on behalf of Blackpool Children's Services and explained that in her role within the Awaken Team she had seen a concerning increase in the number of children being exploited in the town by being used for the sale and distribution of cannabis. Mrs Scales' opinion was that the Child Protection licensing objective had been undermined in addition to the Prevention of Crime and Disorder and Public Safety objectives and indicated her support for the Police recommendation to revoke the Premises Licence.

Lancashire Fire and Rescue's representations were presented by Watch Manager Trevor Jenkins in respect of the Public Safety licensing objective. Mr Jenkins reported serious safety concerns due to the bypassed meter and increased demand on fixed electrical installations which appeared to have been modified by unqualified persons. In addition, he drew the Panel's attention to the breach of wall and ceiling compartmentation which allowed wiring to be run throughout the property which, had a fire started, would increase the rate of spread throughout the premises.

Mrs Elizabeth Walsh, sole director of Eastview Leisure Limited the Premises Licence holder, and her legal representative Mr Tom Lord, appeared in front of the Panel and explained the arrangements that had been put in place at the hotel during the period of closure and the visits made by her to the property.

Mr Lord submitted that Mrs Walsh's trust may have been betrayed and reminded the Panel that Mrs Walsh had not been charged with any offence. He considered that the

MINUTES OF LICENSING PANEL MEETING - MONDAY, 8 MARCH 2021

limited visits Mrs Walsh made to the property were proportionate in light of the pandemic and the fact that the hotel was closed. Mr Lord suggested that revoking the licence in those circumstances was disproportionate and unnecessary.

The Licensing Panel carefully considered the evidence submitted by all parties. The Panel concluded on the balance of probabilities that the licensing objectives had been undermined by the hotel being used for the illegal cultivation of cannabis and decided, having regard to the section 182 guidance, it was appropriate for the promotion of the licensing objectives to revoke the Premises Licence.

Resolved:

To revoke the Premises Licence in respect of the New President Hotel, 320-324 North Promenade, Blackpool.

Chairman

(The meeting ended 3.43 pm)

Any queries regarding these minutes, please contact:

Sarah Chadwick Democratic Governance Advisor

Tel: 01253 477153

E-mail: sarah.chadwick@blackpool.gov.uk