

## MINUTES OF LICENSING PANEL MEETING - FRIDAY, 10 SEPTEMBER 2021

### **Present:**

Councillor Hutton (in the Chair)

Councillors

Baker                      Wilshaw

### **In Attendance:**

Sharon Davies, Senior Licensing Solicitor

John Greenbank, Democratic Governance Senior Adviser (Scrutiny)

### **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 applicant and objector would be heard and that the decision of the Panel would be communicated following the meeting.

### **4 TEMPORARY EVENT NOTICES - SHADOW BAR, 19-23 CLIFTON STREET, BLACKPOOL, FY1 1JD**

The Panel considered an application for a Temporary Events Notice (TEN) for the Shadow Bar, 19-23 Clifton Street, Blackpool, FY1 1JD.

The applicant Mr Raphael Suski was represented by Mr Mark Marshall who outlined the case for granting a TEN for the Shadow Bar.

As part of the Police objection to the application they had highlighted that a condition of the Shadow Bar's licence stated that no glasses could be used after 10.00pm and instead poly-carbonate drinking vessels should be used, had not been met. Mr Marshall informed the Panel that this condition had been on the licence for an extended period and had originally been included due to a number of historic incidents across Blackpool. He added that it had remained on the licence through multiple ownership changes and was not therefore based on any actions undertaken by Mr Suski.

The Panel was also informed that Mr Suski had met Mr Petrak, the Head of Licensing,

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Blackpool Council, on 8 July 2021 to discuss the requirements for the licence for the Shadow Bar. Mr Suski had characterised this meeting as very useful in ensuring that the conditions of the licence would be met, however he did not recall that the condition relating to glass had been raised and therefore he had not taken steps to implement it.

In relation to Police objections relating to an incident on 13 August 2021 where an assault involving glass had taken place and they were unable to obtain CCTV evidence due to Shadow Bar staff being unable to access the system, Mr Marshall explained that Mr Suski had taken steps to ensure appropriate training and measures were in place. These included ensuring supervisors knew how to access the system and that the CCTV instruction manual was easily accessible. Mr Marshall also stated that additional information regarding the incident could be made available to the Police following the meeting.

It was added that on the 13 August 2021 the Bar's security had reacted quickly to the incident and that other similar occurrences were not uncommon elsewhere in the town centre.

Mr Marshall also outlined that Mr Suski would bring forward the requested closing time in the application, from 4.00am to 3.00am to assist in allaying the concerns raised by the Police. It was also stated that the application for a TEN for 19 September would be withdrawn so that it did not clash with an event planned for the North Pier.

Mr Suski stating to the Panel that he took the responsibilities of a licence holder seriously and would be in attendance on all the dates for which a TEN had been applied for to ensure compliance. Mr Marshall added that at the time of the meeting the Shadow Bar would be unable to comply with the glass use condition and therefore asked that it be set aside otherwise the business would have to close.

The Panel queried if Mr Suski had read the conditions of the Shadow Bar's licence prior to their 8 July meeting with Mr Petrak, noting that if they had done so then they would have been aware of the condition relating to the use of glass. Mr Suski replied that he accepted that responsibility for compliance was his and that he had complied with all the other requirements of the licence.

Sergeant Nat Cox and Police Constable Guy Harrison outlined the objection of Lancashire Constabulary to the granting of the TEN for the Shadow Bar. It was explained that it was the view of the Police that the failure to comply with the conditions of the Shadow Bar's licence had led directly to the 13 August 2021 incident involving glass and the subsequent inability for access to the premises CCTV system had impeded the Police investigation into the incident. Sergeant Cox added that the condition regarding no glass being used after 10pm had been included on the licence specifically to prevent the type of assault that had taken place. They added that other incidents of violence at the Shadow Bar and in the surrounding area had taken place on 27 June and 9 July 2021. Historical issues from 2020 were also raised where Police had been unable to access the Shadow Bar's CCTV system.

It was also noted that one third of all the wounding incidents reported in Blackpool during June – August 2021 had occurred at the Shadow Bar and it was the only licenced premises where such incidents had occurred.

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Child protection issues had also been raised regarding the presence of young people outside of the premises at night, creating concerns that granting the application would fail to meet the associated licensing objective.

Regarding the 8 July 2021 the officers disputed the characterisation provided by Mr Suski, stressing that all conditions of the licence had been raised and discussed.

In the view of the Police therefore granting the application would not meet the licensing objectives such as the prevention of crime and disorder and child protection, and therefore should be refused.

The Panel considered the submissions of the Applicant and Objectors and agreed that the application be refused as it did not meet the Council's licensing objectives.

**The Panel agreed:** That the application for a Temporary Events Notice for the Shadow Bar, 19-23 Clifton Street, Blackpool, FY1 1JD, be refused.

### Chairman

(The meeting ended 3.02 pm)

Any queries regarding these minutes, please contact:

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