

MINUTES OF LICENSING PANEL MEETING - FRIDAY, 5 NOVEMBER 2021

Present:

Councillors

G Coleman

Hutton

Sloman

In Attendance:

Sarah Chadwick, Democratic Governance Senior Advisor

Sharon Davies, Senior 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 applicant and representations would be heard and that the decision of the Panel would be communicated to the relevant parties within five working days.

4 EXCLUSION OF PRESS AND PUBLIC

The Panel received a request from the Child Protection Licensing Officer to hold the hearing in private due to the sensitive nature of information to be disclosed which was not deemed appropriate to be held in public. The Panel concluded it was in the interest of all parties to hold the hearing in private.

5 APPLICATION FOR A NEW PREMISES LICENCE - ALEXANDER HOTEL, 29 OSBORNE ROAD, BLACKPOOL, FY4 1HJ

The Licensing Panel considered an application from Alexander Hotel Bpl Ltd for a new Premises Licence for the Alexander Hotel, 29 Osborne Road, Blackpool, FY4 1HJ. Representations had been received from the Licensing Authority, Child Protection Licensing Officer and a public representation from Mr and Mrs Freeman.

The start of the meeting was delayed due to technical difficulties of some participants when attempting to join remotely and the hearing therefore began later than scheduled at 10.30am.

Ms Anamaria Opinoc of Alexander Hotel Bpl Ltd appeared before the Panel accompanied by Mr Arjun Duggal, Licensing Consultant from City of Licensing Ltd. Mr Duggal explained that the premises was a small hotel consisting of ten letting bedrooms which would cater

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for families and couples. The hotel also had a contract with Social Services to provide emergency accommodation to families and they had a contract as a quarantine hotel. It was located close to Blackpool Pleasure Beach in an area which had a number of other licensed premises nearby. The Panel was advised that if a licence was granted the hotel would undergo a period of refurbishment and Mr Duggal drew Members' attentions to the policies and procedures in place at the premises which he believed would meet the requirement to promote the licensing objectives.

Addressing the Panel directly Ms Opinoc added that she would personally manage the hotel herself and that it was equipped with a CCTV system which monitored the premises 24 hours a day. She believed that the granting of the licence would help to reduce nuisance and anti-social behaviour in the area as it was hoped guests would remain within the hotel's bar to consume alcohol rather than visit other licensed premises in the vicinity and then return later in the evening which could cause a noise nuisance to nearby properties.

Mr and Mrs Freeman presented their representations to the Panel and expressed concerns over the activities and hours applied for. They believed that a 24 hour licence to sell alcohol together with noise from live entertainment and karaoke late into the evening would cause a nuisance to residents in the area, many of whom were elderly, should the application be granted. They also pointed to incidents of anti-social behaviour since the applicant had taken over the premises in May 2021 and advised Members that attempts to engage with the hotel's management to resolve the issues had been unsuccessful and had been met with hostility, including from an aggressive male who they believed to be a lodger at the hotel. Mr and Mrs Freeman suggested that adding the availability of alcohol at the premises would increase the amount of anti-social behaviour being experienced and therefore requested that the Panel refused the application.

In response, Mr Duggal advised Mr and Mrs Freeman that entertainment facilities such as karaoke machines would be fitted with a sound limiter to cut off the device if the volume exceeded a certain level. Mrs Sharon Davies, Legal Advisor to the Panel, drew Members' attentions to the conditions that had been agreed between the applicant and Lancashire Constabulary as part of the mediation process, in particular that alcohol would only be sold to residents and their private friends and that the use of any outside area for the consumption of alcohol would cease to be so used at 22.00 hours. Mr Duggal offered, in response to concerns from Councillor Sloman as to how the management would monitor alcohol sales to friends of guests, to amend the wording of those conditions so that alcohol would be served to residents only, not their private friends, should the application be granted.

Mrs Louise Scales, Child Protection Licensing Officer, presented her objections and disclosed information to the Panel which was of a sensitive nature and therefore could not be made public. Ms Opinoc had been aware of the issues however had been unwilling or unable to address them in a timely manner to the satisfaction of Mrs Scales.

Mr Lee Petrak, Trading Standards and Licensing Manager, referred to his written representations on behalf of the Licensing Authority, in particular his concern that Ms Opinoc may not be the controlling mind of the business. He reminded the Panel that the applicant had not addressed the issues raised by the Child Protection Licensing Officer in a prompt manner and pointed to a lack of compliance and obstructive attitude towards

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the Licensing Authority's reasonable requests during the application period. In his opinion the applicant had offered no reassurance or evidence during the course of the hearing that they would uphold the licensing objectives should the licence be granted and he therefore recommended that the application be refused.

The Panel carefully considered the evidence provided by all parties. Members expressed serious concerns over the applicant's failure to promptly address concerns raised with the Panel privately by the Child Protection Licensing Officer. They also noted the disruption caused to local residents since the hotel had begun trading and the obstructive actions towards officers by those connected with the hotel during the application period. Members concluded that the licensing objectives would be undermined if they granted the licence and therefore agreed to refuse the application.

Resolved: To refuse the application for a new Premises Licence for the Alexander Hotel, 29 Osborne Road, Blackpool.

Chairman

(The meeting ended 12.20 pm)

Any queries regarding these minutes, please contact:
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