

MINUTES OF LICENSING PANEL MEETING - MONDAY, 17 OCTOBER 2022

Present:

Councillors

G Coleman

Hutton

Sloman

In Attendance:

Sarah Chadwick, Democratic Governance Senior 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.

3 PROCEDURE FOR THE MEETING

The Chairman explained the procedure for the meeting, including the order in which the application and representations would be heard and that each party would be allocated 20 minutes to present their case.

4 APPLICATION FOR A NEW PREMISES LICENCE - COASTAL BAY HOTEL

The Licensing Panel considered an application for a new Premises Licence for the Coastal Bay Hotel, 377-379 Promenade, Blackpool, FY1 6BH. Mr Alan Diamond, director of the applicant company Coastal Bay Hotel Limited was in attendance accompanied by his representative Mr Oisin Daly of Absolute Licence Solutions and Mr Ian Smith, Fire Risk Assessor, Milwood Facilities. A representation had been made by the Licensing Authority who were represented at the meeting by Mr Lee Petrak, Trading Standards and Licensing Manager.

Mr Daly presented the case on behalf of Mr Diamond who had owned the hotel for a number of years. He accepted that there had been historic issues at the property when the previous Premises Licence held by another of Mr Diamond's companies had been revoked in 2019 following serious fire safety concerns resulting in a prohibition notice being issued which had required the hotel to close. The Panel was advised that since that time there had been significant investment in the property and Mr Diamond had employed the services of Mr Smith, a Fire Safety Advisor, to undertake a fire risk assessment and provide expert advice on the measures that were required to bring the hotel up to standard, although the prohibition notice remained in place.

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Mr Smith addressed the Panel and advised Members that he had surveyed the work that had been undertaken to date to ensure statutory compliance with issues such as electrical wiring and fire door regulations. In his opinion that work had been completed to a suitable standard and appropriately documented, with a rolling five year programme of testing to be implemented. The fire risk rating of the hotel had been reduced from “intolerable” to “moderate” however in order for the prohibition notice to be lifted a management structure was still required to be put in place to reduce the risk rating further to “tolerable”. Mr Smith advised that he would assist Mr Diamond in implementing that structure to include fire alarm testing and evacuation procedures, following which he would be satisfied that the hotel would be in a position to be re-inspected and the prohibition notice lifted.

Acknowledging that the prohibition notice remained in place, Mr Daly assured Members that there was no intention for the hotel to operate until that notice was lifted. He therefore invited the Panel to grant the application with the addition of a condition to the effect that no licensable activities would take place until the Fire Service and Blackpool Council’s Health and Safety Team had confirmed that the premises was compliant and the prohibition notice lifted. An independent fire safety consultant would also be employed by the Premises Licence holder with an annual report completed and interim inspections carried out.

Presenting the objection on behalf of the Licensing Authority, Mr Lee Petrak, Trading Standards and Licensing Manager, referred to the previous compliance failings at the hotel whilst it had been under Mr Diamond’s ownership. He accepted that some progress had been made following the advice received from Mr Daly and Mr Smith but reminded the Panel that the prohibition notice remained in place and the premises was still not in a position to legally open, which in his opinion made the proposed condition redundant.

Mr Petrak questioned how long the advisory support from Mr Smith and Mr Daly would remain in place should the prohibition notice be lifted and expressed concern that, based on Mr Diamond’s poor regulatory history, the condition and management of the property could revert to its previous poor standards. Mr Petrak suggested that as there was no clear indication of when the fire risk rating would be reduced to “tolerable” the Panel should refuse the application on the grounds of public safety.

Members carefully considered the information provided by all parties. Concerns were expressed that the application had been submitted whilst a prohibition notice was in effect and despite four months having since passed, that notice still remained in place. The Panel noted however that the premises would be able to operate as an unlicensed hotel once the notice had been lifted and that in reaching its decision it therefore had to take into consideration the impact on the licensing objectives should a licence be granted to permit the supply of alcohol, entertainment and late night refreshment.

The Panel concluded that, given the previous history, it was not satisfied that the applicant had demonstrated they were in a position to operate a business that would be compliant with fire and health and safety requirements. The application was considered to be premature and Members therefore determined to refuse the application,

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recommending that an operating period of compliance should be demonstrated before any future application was submitted.

Resolved:

To refuse the application for a new Premises Licence for the Coastal Bay Hotel, 377-379 Promenade, Blackpool.

Chairman

(The meeting ended 11.00 am)

Any queries regarding these minutes, please contact:
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