

Blackpool Council

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

LICENSING ACT 2003

***Review
requested by:***

Mark Marshall on behalf of the Licensing Authority



Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

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LS/F/009/14/3

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. You may wish to keep a copy of the completed form for your records.

I	Mark Marshall
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[insert name of person requesting review]

apply for the review of a premises licence under section 51 or apply for the review of a club premises certificate under section 87, of the Licensing Act 2003 for the premises described in part 1 below.

Part 1 – Premises Details

Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.									
Premises Name and Address	North Parade Guest House aka Casey's Bar								
	68-70 Dickson Road								
		Post Code	F	Y	1	2	A	W	
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Caseys Carvery ltd									
Premises Licence or Club Premises Certificate Reference Number (if known)								PL1988	

Part 2 – Applicant details

I am:

1) an individual, body or business which is not a responsible authority	Please tick
2) a responsible authority (please also complete 2C below)	X
3) a member of a club to which this application relates (also complete section 2A below)	

(2A) Individual Applicants (fill in as applicable)

Title:	Mr	Mrs	Miss	Ms	Other	I am 18 years old or over	Please tick									
							Yes	No								
Forenames						Surname										
Home address																
						Post Code										
						Telephone Number						Mobile Number				
E-Mail Address																

(2B) Other Applicant or Representing Body

Name															
Address															
						Post Code									
	Telephone No.														
Email Address															

(2C) Responsible Authority applicant

Name	Mark Marshall														
Address	Public Protection Division														
	Number one, Bickerstaffe Square														
	Talbot Road, Blackpool					Post Code	F	Y	1			3	A	H	
Telephone Number															
Email Address Mark.marshall@blackpool.gov.uk															

Part 3 – Reason for Review

This application to review relates to the following licensing objective(s):

	Please tick
1) the prevention of crime and disorder	x
2) public safety	
3) the prevention of public nuisance	x
4) the protection of children from harm	x

Please state the ground(s) for review (please read guidance note 2 before completing)

Introduction

The premises was a hotel and in recent years applied for premises licence and converted what was the old hotel bar into a standard pub style premises.

Numerous complaints regarding cleanliness and general standards of the premises have been received, during visits in response to these complaints the condition of the premises is basic in terms of the accommodation, requires some updating in areas but has not presented in a dangerous condition.

A list of complaints from the last 2 years follow;

Number	Type	Summary	Date Created	Status
2106774	Complaint	Caseys Hotel & Bar (Joanne McCue)	01/Aug/2016 10:42	Referred to Other
2106770	Complaint	Caseys Hotel & Bar (Billiejo Bullock)	01/Aug/2016 10:40	Referred to Other
2106765	Complaint	Caseys Hotel & Bar (Sara Stubbs)	01/Aug/2016 10:38	Referred to Other
2106762	Complaint	Caseys Hotel & Bar (Jennifer McCue)	01/Aug/2016 10:35	Referred to Other
2074798	TS Focussed Inspection	Caseys Hotel & Bar, 68, Dickson Road, FY1 2AW	03/Mar/2016 15:18	Completed
2074774	HS Licensing	Caseys Hotel & Bar, 68, Dickson Road, FY1 2AW	03/Mar/2016 15:06	Completed - Result OK
2074687	Food Hygiene - Focussed	Caseys Hotel & Bar, 68, Dickson Road, FY1 2AW	03/Mar/2016 14:17	Completed
2066287	Complaint - Premises	North Parade Guest House, 68, Dickson Road,...	19/Feb/2016 16:20	Open
1829058	Licensing Enforcement Complaint	[Untitled]	19/Feb/2015 15:16	Written Warning
1829055	Licensing Enforcement Complaint	[Untitled]	19/Feb/2015 15:15	Written Warning
1452836	Food Hygiene - Focussed	North Parade Guest House, 68, Dickson Road,...	01/Nov/2013 15:30	Completed
1366209	Complaint	North Parade Guest House (Steven Drury)	11/Jul/2013 16:24	Advised
1360004	Complaint	North Parade Guest House (Patricia Jones)	02/Jul/2013 15:34	Advised
1223702	Complaint	North Parade Guest House (Mr Aston)	06/Nov/2012 11:43	Logged for Intel
1217523	Food Hygiene - Revisit	North Parade Guest House, 68, Dickson Road,...	26/Oct/2012 14:17	Completed
1215444	Complaint	North Parade Guest House (Mrs Serafimov)	24/Oct/2012 09:10	Referred to Other
1213966	Food Hygiene - Visit / Interview Owner	North Parade Guest House, 68, Dickson Road,...	22/Oct/2012 08:16	Completed
523668	Complaint	North Parade Guest House (Mrs Joan Harland)	15/Oct/2012 14:23	Referred to Other
1199615	Hygiene Improvement Notice	North Parade Guest House, 68, Dickson Road,...	04/Oct/2012 09:56	Completed
1197634	TS Food Primary Visit	North Parade Guest House, 68, Dickson Road,...	01/Oct/2012 13:50	Completed
1197623	Food Hygiene - General Inspection	North Parade Guest House, 68, Dickson Road,...	01/Oct/2012 13:43	Completed
1126419	Complaint	Firgrove Hotel (Karen Wright)	07/Jun/2012 20:07	Advised
883019	TS Prosecution	Firgrove Hotel Limited - Result : Guilty	13/May/2011 17:38	Completed
860515	Complaint	Firgrove Hotel (David Gould)	05/Apr/2011 13:46	Advised
838738	TS Food Primary Visit	Firgrove Hotel, 68, Dickson Road, FY1 2AW	30/Oct/2010 22:16	Completed
812817	HS General Visit Planned (67/1)	Firgrove Hotel - Category B2	29/Oct/2010 11:54	Inspection Completed
1260072	TS Food Primary Visit	North Parade Guest House, 68, Dickson Road,...	09/Jul/2010 12:05	Completed
906013	Food Hygiene - Focussed	Firgrove Hotel, 68, Dickson Road, FY1 2AW	09/Jul/2010 08:32	Completed
817444	Food Hygiene - General Inspection	Firgrove Hotel, 68, Dickson Road, FY1 2AW	17/Sep/2009 13:46	Completed

One particular complaint of concern was received from Helen Hamilton- Southward, a youth worker from Aspire Academy sent on the 5th February 2015 .(**Document 1**)

12th February 2015

Mark Marshall visited the premises and spoke with the owner, Patrick Buckley to put him on notice of the concerns raised by Miss Hamilton Southward, Mr Buckley intimated that the girls mentioned were not really cared for at home so well and he was offering them some sanctuary. Advice was given regarding the fact that all children must be accompanied by a supervising adult and in light of the concerns raised they should not be encouraged to come to the premises.

14th February 2015

Mark Marshall re visited the premises to ensure that the advice had been acted upon, the visit occurred at 21.40hrs, XXXX, aged 17 was on the premises with her friend who was also apparently 17, neither were drinking alcohol so on the face of things there were no concerns disclosed.

These visits were followed up in writing on the 19th February 2015 (**Document 2**)

Public Nuisance

Noise from the premises has been noted on numerous occasions over the last 2 years,

Recorded visits where the issue of noise prevention have been discussed include;

22nd February 2014- Informal advice was given to Arron Buckley to monitor the noise levels and be mindful of neighbouring premises

7th June 2014- a visit was conducted by Mark Marshall and no concerns were raised.

21st June 2014- The noise from Casey's could be heard from 50-60 metres away, the time of this observation was 23.25hrs. Both the front doors to the premises were propped open with chairs so Arron Buckley was advised to deal with noise escape. He closed both doors immediately on request.

12th September 2014 –Observations were conducted and no concerns re noise were apparent.

27th June 2016-Complaint from the neighbouring premises received by the Licensing Authority that the noise and disorder from Casey's is getting worse, complaint text below;

PL1988 - North Parade Guest House (aka Caseys)

Complaint from Craig Coleman at Peek-A-Booze about nuisance and crime and disorder at Caseys getting worse and spilling over into his beer garden.

He says fights have started spilling over into his beer garden, alleging the manager of Caseys punched one of his own customers in the Peek-A-Booze beer garden. He says it is so bad he is having to use security and they are having to keep watch for the trouble at Caseys.

He says there is also noise nuisance.

He has been given the number for the Police licensing dept, EP Manager Jennifer Clayton and also Mark Marshall (Enforcement Manager).

2nd July 2016- Contact details for Mark Marshall were left at the complainants premises

20th July 2016- Statement of complaint obtained from the neighbour Craig Coleman which described substantial impact from the noise and disorder

23rd July 2016-Area visited to substantiate the noise complaints at 22.20hrs, both doors to the front of the premises and loud music was emanating from the premises, a 30 second video clip was obtained from the east side of Dickson Road. Also noted was the fact that no door supervisors were on duty.

Prevention of Crime and Disorder

20th July 2016- The statement of complaint is comprehensive and has been supported by incident logs from Peek a booze, further consultation with Lancashire Constabulary has been conducted and again the logs support the allegations made in the statement of complaint. A summarised version of the police incidents is found below;

[A brief summary of incidents:](#)

WA1610762, WA1610716: Burglary, watch and money from jeans pocket stolen from hotel room. Offender arrested and charged.

LC-20160627-0040: Casey's staff called police stating a male was kicking off o/s Peekabooze, male was arrested for drunk & disorderly due to his aggressive behaviour.

LC-20160225-1426: Male assaulted in bar by a glass being thrown at him then he was punched, a table was smashed in the disturbance. Male needed stitches The victim was very drunk and drinking beer all day. CCTV was provided and stills circulated but offender unknown.

LC-20160201-1487: Male had £400 worth of camera equipment stolen from bar, CCTV provided but offender unidentified.

LC-20160101-0852: 6 people o/s Casey's fighting at 06:45hrs. Informant states they have gone into Casey's but when police attend it was all quiet and in darkness.

LC-20151107-0044: 00:34hrs initially reported as a domestic but was changed to a lawful ejection and police watched CCTV at the time and reported no crime.

LC-20151025-1179: Female been grabbed round the throat by male in the bar at 17:30hrs (not domestic related) victim since failed to co-operate with police and has a previous record for making false allegations.

LC-20150727-0966: Officer found male at 17:37hrs unconscious outside the bar on his face, had too much to drink and collapsed. Ambulance took male to hospital.

LC-20150425-1102: 18:01hrs 2 women causing problems, informant doesn't want to get involved but female jumped behind the bar and assaulted one of the staff. Police attend 2 females were arrested and charged with assault; they threw drinks at the barman and punched him and grabbed him round the throat.

In addition to the matters listed above PC Ian Ashton was verbally abused and aggressively physically treated and set on by a customer from Casey's, this occurred in September 2015 and is mentioned in the statement of Craig Coleman. Again no door supervision was in place at Casey's to intervene

I have personally spoke to PC Ashton who confirmed his version of events and he confirmed the incident was captured on his body camera.

Protection from Children from Harm

12th February 2015 –Discussions took place with Patrick Buckley about vulnerable children frequenting the premises, mentioned in more detail in the Introduction to this application.

20th July 2016- The statement of Craig Coleman describes many issues with children being both unruly and at risk from the disorder as very often they are left unsupervised till beyond midnight.

Conclusion

The premises licence has limited conditions and intervention and encouragement has been made over the last 2 years to really focus on the Licensing Objectives, one of the barriers for achieving improvements is the lack of meaningful conditions.

The proposal would be for the Committee to consider the imposition of conditions to control the problems disclosed.

Door staff- Fridays and Saturdays seem to be the worse according to the complainant so targeting the hours of 8pm till close on a Friday and from 6pm on a Saturday till close may go some way to limiting the issues.

Doors and windows to be closed during the hours of regulated entertainment.

A noise assessment to be carried out by a competent person and the audio equipment to set and fixed at a volume that corresponds with the recommendations of that assessment. A copy of the noise assessment to be lodged with Licensing Authority.

Children and young people (as defined by the Licensing Act 2003) should be prohibited from entering the premises.

There is little doubt that the complainant is suffering the impact of miss management at the premises and evidence of crime and noise nuisance has been obtained independently of this complaint. In addition the area and facilities are not suitable for children, for example the beer garden is open to the main road which is always busy with traffic, the premises do not serve food so family style dinning is not an option and the style of premises is not really suitable. With the evidence of disorder and the serving of drunken people children in such an environment children could also be at risk and the consideration of a short suspension to deter such practices in line with Paragraph 11.23 of the Section 182 Guidance should be considered.

Supporting Documents.

Copy of all complaints.

Document 1 – Complaint from Helen Hamilton Southward

Document 2-Warning letter re Child Protection issues.

Statement and Logs from Craig Coleman.

Video clip of noise nuisance. (not served with the application, will follow in the coming week)

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Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 3 before completing)

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Part 4 – Other relevant information

Have you made an application for review relating to this premises before?	Please tick								
	Yes	No							
		X							
	Day	Month	Year						
If yes please state the date of that application									

If you have made representations before relating to this premises, please state what they were and when you made them.

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Please tick

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.	X
I understand that if I do not comply with the above requirements my application will be rejected	X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 5) **If signing on the behalf of the applicant please state in what capacity.**

Signed	
Print Name	Mark Marshall
Capacity	Licensing and Health and Safety Manager
Date	4 th August 2016

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 6)						
Title:	Mr	Mrs	Miss	Ms	Other	
Forenames					Surname	
Address for Correspondence associated with this application						
					Post Code	
Telephone Number					Mobile Number	
E-Mail Address						

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
6. This is the address that we shall use to correspond with you about this application.