

Report to:	Licensing Panel
Decision or Item number	4
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	

APPLICATION TO REVIEW A LICENCE – TANGERINE TAVERN

1.0 Purpose of the report:

- 1.1 Tangerine Tavern, 3-5 St Annes Road, Blackpool has the benefit of a premises licence permitting the sale of alcohol and provision of regulated entertainment. Alcohol may be sold until 00.00 Sunday-Thursday and until 01.00 on Friday and Saturday. The designated premises supervisor was Peter Thomas Flynn.
- 1.2 On 22nd September 2014, the licensing service received an application to review the licence on the grounds of prevention of crime and disorder and public safety.
- 1.3 The review application was submitted by Lancashire Constabulary. No representations have been received.

2.0 Recommendation(s):

- 2.1 The panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

- 3.1 This application must be determined by a panel.
- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes
- 3.3 Other alternative options to be considered:
- None, the review application must be considered by a panel.

4.0 **Background Information**

4.1 **Local policy considerations**

None

4.2 **National policy considerations**

Section 11 reviews is relevant

The panel have the following powers:

1. Take no action
2. Modify the conditions of the licence (by adding removing or varying conditions)
3. Exclude a licensable activity from the licence
4. Remove the DPS
5. Suspend the licence for up to three months
6. Revoke the licence.

4.3 **Observations**

The licence has the following conditions endorsed on the licence:

Annex 1 - Mandatory conditions

- 1 No supply of alcohol may be made under the premises licence -
 - a) At a time when there is no designated premises supervisor in respect of the premises licence,
 - or*
 - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premise licence must be made or authorised by a person who holds a personal licence.
- 3 The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a

significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- a. Games or other activities which require or encourage, or are designed to require or encourage individuals to -
 - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);
 - b. Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined by section 159 of the Act);
 - c. Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - d. Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependant on -
 - i. The outcome of a race, competition or other event or process, or
 - ii. The likelihood of anything occurring or not occurring;
- 4 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6 The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 year of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 7 The responsible person shall ensure that -
- a. Where any of the following alcoholic drink is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - i. Beer or cider: ½ pint;
 - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
 - iii. Still wine in a glass: 125ml; and
 - b. Customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the Operating Schedule

- 1 CCTV will be installed internally and externally at the premises. Said CCTV system shall comply with the following criteria:
 - (a) The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises, with the exception of the toilets, shall be covered by the system;
 - (b) The system shall display on any recording the correct time and date of the recording;
 - (c) The system shall be recording during all hours the premises is open to the public;
 - (d) VCR tapes or digital recording shall be held for a minimum of 30 days after the recording is made and will be made available to the Police for inspection upon request;
 - (e) The system shall, as a minimum, record images of the head and shoulders of all persons entering the premises.
- 2 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested.
- 3 An A4 advisory sign indicating that CCTV is in operation at the premises should be displayed on the outside of the building, at the main entrance and inside the premises.
- 4 The Police Licensing Unit shall be notified on any occasion when the CCTV system is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.
- 5 At least one personal licence holder (whose identity will be known to all other staff engaged in the sale or supply of alcohol) will be available whilst the sale or supply of alcohol is being undertaken, except in the case of emergency.
- 6 A drugs prevention strategy for the venue shall be developed, applied and documented. This strategy shall include arrangements for the location of posters and the distribution of other information relating to drugs risks, the dangers associated with drugs and the legal provisions relating to drug use.
- 7 Clearly visible notices shall be displayed advising those entering the premises that it is a condition of entry that customers agree to be searched and that Police will be informed if anybody is found to be in possession of controlled substances or weapons.
- 8 Any drugs found shall be confiscated, stored, disposed of or transferred in

accordance with procedures agreed with the Lancashire Constabulary.

- 9 Records of incidents involving the use and/or detection of drugs shall be maintained and those records shall be made available to the Police for inspection upon request.
- 10 Security arrangements will be sufficient to discourage the sale and consumption of drugs: such arrangements to include regular documented checks of toilet areas.
- 11 The premises shall be a member of the local Pubwatch scheme and the local Pubwatch protocols shall be adhered to. Entry will be refused to any persons who can be identified as currently under Pubwatch ban.
- 12 An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises. All staff involved in sales will be at least 18 years of age and will receive training to promote the licensing objectives. All training to be documented and records made available on request to Lancashire Police or any authorised officer.
- 13 All staff to have received suitable training in relation to the Proof of Age Scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request.
- 14 An incident book will be maintained, in which shall be recorded:
 - (a) All incidents of crime and disorder
 - (b) Refused sales to suspected under age / drunken persons
 - (c) A record of any person refused admission or asked to leave the premises
 - (d) Details of occasions upon which the Police are called to the premises
 - (e) The use or discovery of drugs

That book shall be available for inspection by a Police Officer or authorised person.
- 15 An adequate number of licensed door supervisors will be on duty as appropriate to any risk assessment at the premises.
- 16 A record shall be kept on the premises of every person employed at the premises as a door supervisor. The record shall contain the following details:
 - (a) name and address;
 - (b) date of birth;
 - (c) SIA licence number;
 - (d) time duty commenced and time duty terminated.

Said records shall be made available for inspection upon demand by the Police.
- 17 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.

- 18 No entertainment of an adult or sexual nature will take place upon the licensed premises.
- 19 Any person under the age of 16 must be accompanied by a responsible adult and remains the responsibility of the accompanying adult at all times when using the premises. Members of staff are not allowed to be in sole supervision of children.
- 20 Persons under the age of 16 are not allowed to remain on the premises after 21.00 hours unless they are attending a pre-arranged function. If attending a pre-arranged private function children under 18 should be off the premises by 11pm.
- 21 Functions which specifically target young people aged 17-18 years (for example 18th birthday parties) will not be allowed to take place on the premises.
- 22 The licence holder will give 5 working days' notice to the police of any occasion when a private function is to be held at the premises. On occasions when this provision has not been complied with, the licence holder must inform the police of all private functions and the police have the power of veto in relation to any functions in which the police are given less than 5 working days' notice. Risk assessments will be produced in relation to such functions, with a minimum of one SIA registered doorperson to be employed for functions of 30 or more adults.
- 23 All door staff employed at the entrance / exit of the licensed premises will wear a reflective jacket / tabard of a design approved by the Lancashire Constabulary.
- 24 The licence holder and the Designated Premises Supervisor shall nominate another person, who will deputise for the Designated Premises Supervisor in the DPS's absence, and shall ensure that the identity of the deputy is known by all other staff when such absence occurs.
- 25 Alcohol will only be purchased from a VAT and HMRC registered bone fide wholesaler. Written invoices will be obtained for all alcohol purchases and will be made available to trading standards officers and the police on request.

4.4 Does the information submitted include any exempt information? No

4.5 **List of Appendices:**

Appendix 4a- Application for Review from Lancashire Constabulary

6.0 **Legal considerations:**

6.1 Please see local and national policy in the background information.

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None