

Report to:	Licensing Panel
Decision or Item number	4
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	21 st November 2014

APPLICATION TO VARY DPS – 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 October 2014 the licensing service received an application to vary the designated premises supervisor to Philip Beckett.
- 1.3 Representations have been received from Lancashire Constabulary. A copy of the representation is attached

2.0 Recommendation(s):

- 2.1 The panel is requested to consider the application and determine whether varying the licence to name Philip Beckett as DPS would undermine the crime prevention objective.

3.0 Reasons for recommendation(s):

- 3.1 Representations have been received therefore there must be a hearing to determine the application.

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

4.0 **Background Information**

4.1 **Local policy considerations**

None

4.2 **National policy considerations**

4.27 – The police may object to the designation of a new DPS where, in exceptional circumstances, they believe that the appointment would undermine the crime prevention objective. The police can object where for example, a DPS is first specified in relation to a particular premises and the specification of that DPS in relation to that premises gives rise to exceptional concerns. For example where a personal licence holder has been allowed by the courts to retain their licence despite convictions for selling alcohol to children and then transfers into premises known for underage drinking.

4.28 – Where the police do object, the licensing authority must arrange for a hearing at which the issues can be considered and both parties can put forward their arguments. The 2003 Act provides that the applicant may apply for the individual to take up post as DPS immediately, in such cases the issue would be whether the individual should be removed from this post. The licensing authority considering the matter must restrict its consideration to the issue of crime and disorder and give comprehensive reasons for its decision.

4.3 **Observations**

When determining the application the panel may only consider the impact on the crime prevention objective.

4.4 Does the information submitted include any exempt information?

No

4.5 **List of Appendices:**

Appendix 4a: Application

Appendix 4b: Representation 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