

Blackpool Council Licensing Service
Representation made by a Responsible Authority

Responsible Authority

Name of Responsible Authority	Licensing Authority		
Name of Officer <i>(please print)</i>	Mark Marshall		
Signature of Officer			
Contact telephone number	01253 478493		
Date representation made	11	02	2014
Do you consider mediation to be appropriate	YES	NO	

Premises Details

Premises Name	Mary Port Marras
Address	18 York Street
	Blackpool
Post Code	FY1 5AQ

Details of your representation (Please refer and attach any supporting documentation)

The application is jointly made, the principal concern is with Joe Formosa.

Mr Formosa first came to the attention of the authority when I visited on the 12th April 2014 following a complaint that I received from Funny Girls, they had encountered a group of customers who were brandishing wrist bands entitling them to free entry into Funny Girls. The wrist bands were apparently sold to the group by the Adam and Eve Hotel.

I attended that evening and met Mr Formosa for the first time and discovered that he sold the wrist band as part of an accommodation package, in addition to Funny Girls he also had a large number of other venues listed. The venues were what I would class as main stream and high end retailers, and I was surprised that such venues would agree to affiliate themselves with the Adam and Eve Hotel.

I sought clarification with Mr Formosa as to whether he had sought the consent of the venues to go offering free entry packages, he agreed he had not but questioned whether there was a need too as he felt he was being community spirited as he was sending customers to the venues. I explained that he was depriving the premises of the ability to charge entry fees, a lawful entitlement and also potentially sending conflict to other venues as if people were refused and felt they were entitled to something this could lead to issues for the respective venues.

On this evening I had a look round the hotel and was quite shocked by the conditions, I explained that someone from Health and Safety would carry out a more detailed inspection which was later done by Keith Marsden.

Photos from my visit from the 12th April will be forwarded before the hearing.

A further visit was made me on the 27th September 2014, this was only a cursory examination of the conditions within the hotel and sadly things were still very poor,

On the 5th December 2014 I visited the Adam and Eve Hotel, 16 York Street after receiving community information that Mr Formosa had a number of properties in York Street, all were in poor condition and the suggestion was that he was running the area into the ground.

During this evening and number of the residents were spoken too and seemed to verify the position that there were some serious community tensions and that Mr Formosa's business activity could have been responsible for a lot of the problems.

I then arranged a community meeting which was held at a hotel on York Street on the 12th December 2014, it was very apparent that the residents were angry with how Mr Formosa was operating and described lots of incidents of anti-social behaviour and nuisance.

10 residents left there details with me, all of which were prepared to provide witness statements and support local authority action.

Over the following weeks 7 witness statements were obtained, 3 people were uncontactable.

A redacted package of statements is being prepared and will support and detail the claims made within this representation, service of these documents will be made as soon as practicable.

Mr Formosa is currently in the process of being sent a Community Protection Warning, a meeting has been held to put in positive requirements but again at the time of writing is still not fully prepared, copies will be submitted with the other pending documentation.

As such given the level of Community and Regulatory concern I am of the view that if granted the Licensing Objectives will be undermined, Mr Formosa does not have the confidence of any agency at all and over the last 2 months there have been extensive Local Authority dealings from the following agencies;

Planning
Licensing Authority
Health & Safety (Local Authority)
Weights and Measures
Police.

It is rare that such extensive interventions are required around small guest houses with no licences and it is my view that Mr Formosa is cause for concern.

It is my hope that with advice and guidance that Mr Formosa can turn the situation around and limit the impact of his current operation by implementing the positive requirements in the CP Warning. However based on the fact that this warning is still being prepared the consideration of the granting of a premises licence is at best premature.

This Authority strongly suggests refusal at the this point in time.

For New / Variation Applications only.

It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.