

<b>Report to:</b>	<b>LICENSING PANEL</b>
<b>Relevant Officer:</b>	Judith Brooks-Brennan, Licensing Officer
<b>Date of Meeting:</b>	5 November 2021

## APPLICATION FOR A NEW PREMISES LICENCE – Alexander Hotel

### 1.0 Purpose of the report:

1.1 To consider an application for a new Premises Licence for Alexander Hotel, 29 Osborne Road, Blackpool, FY4 1HJ.

### 2.0 Recommendation(s):

2.1 The panel is requested to consider the application and determine whether the granting of this licence would adversely impact on the Licensing Objectives.

### 3.0 Reasons for recommendation(s):

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

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

### 4.0 Other alternative options to be considered:

4.1 None, once an application is submitted and representations received it must be considered by the Licensing Panel.

### 5.0 Council priority:

5.1 The relevant Council priority is

- "The economy: Maximising growth and opportunity across Blackpool"

### 6.0 Background information

6.1 On 30 July 2021 the Licensing Service received an application from Alexander Hotel BPL Ltd, signed and completed by Anamaria Opinoc, for a new Premises Licence at Alexander Hotel, 29 Osborne Road, Blackpool, FY4 1HJ. According to Companies House Ms Opinoc is

the Company Secretary of Alexander Hotel BPL Ltd and identifies herself as the hotel's manager on the application form.

- 6.2 The property previously held a Premises Licence but this was surrendered by the previous licence holders on 16 July 2020.
- 6.3 The application requests permission to sell alcohol for consumption on and off the premises 24 hours a day Monday to Sunday, Late Night Refreshment 23:00- 05:00 Monday to Sunday, Recorded Music 07:00- 23:30 Monday to Sunday and Live Music 18:00-23:00 Monday to Sunday, with extended hours requested on special occasions such as public holidays. The application indicates that the opening hours of the premises will be 00:00 to 00:00 Monday to Sunday. A copy of the application is attached.
- 6.4 Representations have been received from the Licensing Authority, the Child Protection Licensing Officer and a public objection from Mr and Mrs Freeman. Copies of the representations are attached at appendices (b) to (e).
- 6.5 The Police mediated with the applicant during the 28 day consultation period and agreed a number of conditions which will be endorsed on the Premises Licence should it be granted. The agreed conditions are as follows:

1. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons residing there or their private friends, bona fide entertained by them at their own expense, and for consumption by such a person or his private friend so entertained by him on the premises.
2. The licence holder and the DPS are to support and rigorously enforce a Challenge 25 Proof of Age policy. Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:
  - (i) UK photo driving licence
  - (ii) passport
  - (iii) Proof of Age Standards Scheme Card

OR any other nationally or locally approved form of identification which may be introduced in the future.

If no suitable identification is provided, sale of alcohol to them will be refused. Signs promoting this policy shall be displayed in the premises.

3. 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.

4. 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.
5. Staff shall ensure no drink is to be removed from the grounds or curtilage of the licenced premises in an unsealed container.
6. Any outside area which is used for the consumption of alcohol shall cease to be so used at 22:00hrs.
7. If in use by customers, the outside area of the venue will be checked by a competent person at intervals of a minimum of 30 minutes
8. All furniture in the outside area is to be either fixed or, if not fixed, to be removed from the outside no later than 22:30hrs.

#### 6.6 Local policy considerations:

4.1.1 The authority wishes to encourage high quality, well-managed premises. The operating schedule should describe how these high management standards will be achieved. In particular, applicants will be expected to demonstrate:

- Knowledge of best practice
- That they understand the legal requirements of operating a licensed business
- Knowledge and understanding of the licensing objectives, relevant parts of the licensing policy, and their responsibilities under the Licensing Act 2003.

4.1.5 For an applicant to assess what steps are appropriate for the promotion of the licensing objectives, they must first understand the area in which they intend to operate. By way of example the controls required in an area suffering from a high level of deprivation, alcohol dependency and street drinking may be completely different to those required in other areas. Applicants are expected to make their own enquiries and demonstrate how they have considered the following in the operating schedule:

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young persons may congregate;
- Any risk posed to the local area by the proposed licensable activities; and
- Any local initiatives (for example local crime reduction initiatives or voluntary schemes which may help mitigate potential risks).

4.1.7 If relevant representations are made the Council will only grant the hours of use proposed where the operating schedule and any risk assessments adequately demonstrate that:

- The applicant has properly considered what is appropriate for the local area when considering what hours and activities to apply for
- The potential effect on the licensing objectives is not significant
- The operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on local residents and businesses.

6.7 National policy considerations:

9.12 – Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority’s main source of advice in relation to a particular licensing objective... any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully... However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

9.43 – The authority’s decision should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

6.8 Does the information submitted include any exempt information? Yes

**7.0 List of Appendices:**

- 7.1
1. Appendix 4(a) Application form for a new Premises Licence
  2. Appendix 4(b) Public objection from Mr and Mrs Freeman (not for publication)
  3. Appendix 4(c) Additional information from Mr and Mrs Freeman (not for publication)
  3. Appendix 4(d) Objection from Licensing Authority (not for publication)
  4. Appendix 4(e) Objection from Child Protection Licensing Officer (not for publication)

**8.0 Financial considerations:**

8.1 None.

**9.0 Legal considerations:**

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

**10.0 Risk management considerations:**

10.1 None.

**11.0 Equalities considerations:**

11.1 None.

**12.0 Sustainability, climate change and environmental considerations:**

12.1 None.

**13.0 Internal/external consultation undertaken:**

13.1 None.

**14.0 Background papers:**

14.1 None.