

Licensing Department
Blackpool Council
Town Hall
Talbot Road
Blackpool

Our ref: ROW/
Direct Dial: 07834 227351
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By e-mail licensing@blackpool.gov.uk

22 March 2022

Dear Sirs

**Re: Objection to transfer of Sexual Entertainment Venue (SEV) Licence
Eden 1, 15-17 Queen Street, Blackpool**

We act for AA Recreation 1 Limited, the holder of the SEV Licence in respect of the above premises.

On 22 February 2022, an application was submitted by UK Exclusive Entertainments Limited to transfer the SEV into its name under Schedule 3, s. 9 (2), Local Government (Miscellaneous Provisions) Act 1982. Our client objects to the transfer of the SEV Licence to this entity under Schedule 3, s.10 (15). The grounds for the objection are as set out below.

We should initially point out that this SEV Licence is currently subject to an appeal to the Magistrates' Court, following a refusal by the Council's Public Protection Sub-Committee to transfer it to Pool Construction Limited at a hearing on 22 June 2021. The sole director and beneficial owner of Pool Construction Limited is Mr Moseley, who is the landlord of the building. At the hearing, the Committee was told that Rafael Suski was the prospective tenant of the premises and would operate the venue with Mr Marczak and that a lease had already been signed. The Committee decided that Pool Construction Limited (Mr Moseley) was unsuitable to hold the SEV Licence "based on the history of regulatory non-compliance and lack of experience/understanding of licence conditions". A copy of the Committee's decision in relation to that transfer application is attached. Pool Construction Limited appealed the decision to the Magistrates' Court. However, the appeal has still not been listed for a substantive hearing, 9 months on from the Committee's decision.

It is our view that the appeal must be concluded (either with a decision or the appeal being abandoned) before any subsequent applications in relation to this SEV Licence can be considered by the Council. The following applications are then due for consideration in order of date of submission:

1. On 13 January 2022, AA Recreation 1 Limited submitted an application for renewal of the SEV Licence (which expired on 14 January 2022). Where an application to renew a SEV Licence is made prior to its expiry, it is deemed to remain in force until the application is concluded, notwithstanding the stated expiry date. This renewal application was objected to by Mr Moseley, stating a number of procedural grounds and concluding that “it is well documented that the Sexual Entertainments Venue Licence for these premises is in dispute. An appeal has been lodged and is awaiting to be heard at Blackpool Magistrates Court on a date to be fixed”. The objection lodged by Mr Moseley to the renewal application supports our view that the application to renew the SEV should only be considered once Pool Construction’s appeal has been concluded; and
2. On 22 February 2022, UK Exclusive Entertainments Limited submitted an application to transfer the SEV Licence held by AA Recreation 1 Limited into its name. This application is objected to by our client (the holder of the Licence). In our view, this transfer cannot be considered by the Council’s Sub-Committee until both the appeal and the SEV renewal have been determined (in that order).

Our client objects to the transfer of the Licence to UK Exclusive Entertainments Limited for the following reasons:

- (a) It is the holder of the SEV Licence, which is a possession. It does not consent to the transfer of its property to another entity; and
- (b) UK Exclusive Entertainments Limited is a company that was incorporated on 24 January 2022. Its directors are Robert Norton and Rafael Suski, with Rafael Suski owning 75% or more of the shares. In our view, Rafael Suski is unsuitable to hold a SEV Licence, as he was previously held out as the prospective tenant of these premises by Mr Moseley the landlord, when the original application for transfer of the licence to Pool Construction Limited was refused. In our submission, Mr Moseley has coerced Mr Suski to incorporate a “clean” company to apply for the transfer of this SEV Licence. However, Mr Suski does not have a clean record, as he has a history of non-compliance with licence conditions at other premises he has operated in Blackpool. For example, he currently operates 15-17 Queen Street as a bar in breach of its licence conditions. The Licensing Act 2003 Premises Licence for 15-17 Queen Street is held by RMS Coastal Resorts Investments Limited, of which Rafael Suski is the sole director and beneficial owner. The business is currently being operated in breach of licence condition 4 (not to be a HVVD and food must be available at all times) and 39 (seating must be available for at least 50 people on the ground floor). Neither of these conditions are complied with in practice at the premises. In addition, the Premises Licence contains a condition at Annex 2 that no adult entertainment may take place at the premises. To grant a SEV Licence to this applicant would put it in breach of the licence condition. A copy of the Premises Licence is attached. Unsuitability to hold a SEV Licence is one of the discretionary grounds on which the Council may refuse to grant the transfer of a licence to an applicant.



- (c) If the SEV Licence were transferred, the business would be carried on for the benefit of a person (Mr Moseley and/or Pool Construction Limited), other than the applicant (UK Exclusive Entertainments Limited) who would be refused the transfer of the licence if he made the application himself. This is also a discretionary ground on which the Council may refuse to grant a transfer of a licence. At the hearing on 22 June 2021, Mr Moseley told the Sub-Committee that Mr Suski was the prospective tenant of the property and had in fact already signed a lease. Mr Moseley told the Committee that Mr Suski's credentials should therefore be considered, as he would be the operator of the SEV. That transfer application was refused as the Committee was not satisfied about the suitability of Pool Construction Limited and/or Mr Moseley. In our submission, if this application for transfer were granted, the business would be carried on by the applicant for the benefit of Pool Construction Limited and/or Mr Moseley, which has already been refused a SEV Licence. The creation of "clean" company, fronted by Mr Suski, is in fact a device to return the SEV Licence into the landlord's ownership. Pool Construction Limited and/or Mr Moseley have already been found to be unsuitable to hold a SEV Licence and the transfer application submitted by UK Exclusive Entertainments Limited is simply a front for Mr Moseley.

Finally, we return to the appeal by Pool Construction Limited against the refusal to transfer the SEV Licence to it. The appeal has been stalled in the Magistrates' Court for 9 months and is no nearer to being concluded. Our client is not a party to the appeal, but has an interest in it being concluded swiftly, so that the suitability of Pool Construction Limited to hold the SEV Licence can be resolved. We have found it very difficult to obtain information from the Council about why the appeal has not been progressed. We cannot understand why the Council does not want to obtain the Court's confirmation of the Sub-Committee's decision. Our client is most concerned that this delay is a tactic by Pool Construction Limited and that progressing this appeal does not appear to be a priority for the Council. If the appellant is not intending to progress the appeal, the Court should be asked to dismiss it. We would therefore ask to be kept informed about when the substantive appeal hearing will now take place.

Could we please also seek confirmation from the Council that no SEV applications relating these premises will be heard until the appeal has been determined and that, once it has been concluded, subsequent applications in relation to this SEV Licence will be dealt with in order of submission.

The Council will also note that the application by AA Recreation 1 Limited for a new SEV Licence at 11-13 Queen Street remains on hold, pending the outcome of Pool Construction's appeal. It is therefore imperative in our view that, once the appeal has been concluded, the application for 11-13 Queen Street is called back before the Sub-Committee, before any hearing is listed to consider the renewal or transfer applications relating to 15-17 Queen Street.

Yours faithfully,

Keystone Law

Keystone Law Solicitors



Date: 25 June 2021

BY EMAIL

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Dear Sirs

Re: Eden One, 15-17 Queen Street Blackpool – application to transfer SEV licence.

On 22 June 2021, the Public Protection Sub-Committee considered an application from Pool Construction Ltd for the transfer of the SEV licence issued in respect of Eden One, 15-17 Queen Street Blackpool, a licence held by AA Recreation 1 Ltd.

The issue, transfer, etc. of such licences is governed by Schedule 3 Local Government (Miscellaneous Provision) Act 1982. Paragraph 10 deals with the application process and paragraph 12 details the mandatory and discretionary grounds for refusal.

The licensing authority received a written objection to the transfer from the directors and shareholders of the following companies AA Leisure 1 Limited, AA Entertainment 1 Limited, and AA Recreation 1 Limited, the later company being the existing licence holder.

This application was due to be considered by the Sub-Committee on 25 May 2021 but was deferred due to the length of time this hearing could take considering the other items for hearing on the agenda that evening. Additionally on 24 May 2021, the licensing service received a statement from Mr Moseley indicating that he was in negotiations with a prospective tenant Rafael Souski who it was proposed would operate the venue with Mr Marczak, both of whom were involved in licensed premises in the area. To ensure that the Sub-Committee had the full picture, officers felt it was important that enquiries took place, to establish their suitability to manage SEV premises.

At the hearing on 22 June 2021, Mr Moseley attended represented by Miss Clover, (Counsel), accompanied by Mr Souski and Mr Marczak. Mr Newton attended on behalf of the companies who had objected, represented by Mr Williams.

The relevant ground for refusal put forward by the objector for consideration in this case is that the applicant is *'unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason'*. Paragraph 3.2 of the Council's SEV policy is relevant to considering the question of suitability. The applicant in this case is Pool Construction Limited, although in reality as sole director, Mr Moseley is to all intent and purpose the person whose suitability is being assessed today.

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SD/011431/02210064



The Sub-Committee are aware that the Police received of this application, but have made no comments and the only objection has come from the current licence holder. Whilst the objections raised may have been motivated by business considerations, they do raise relevant questions that require due consideration.

Mr Moseley has never held or operated an SEV licence. He held a Licensing Act 2003 licence some time ago but this resulted in two review hearings, one for four test purchase failures within a 12-month period. Whilst Mr Moseley may have enjoyed a difficult relationship with the Licensing Sergeant at the time four failed test purchases is something that the Sub-Committee cannot ignore especially in view of the type of entertainment authorised by this licence. The Sub-Committee accepts the representations made on behalf of the applicant that these were some time ago, however, Mr Moseley has not to the Sub-Committee's knowledge operated licensed premises since then so is unable to demonstrate that he can operate an age restricted venue without incident. It also appears from the representations that Mr Moseley, or a company owned by him has been prosecuted for breaches of fire safety in a care home and another care home operated by him is currently under investigation.

The applicant also told the Sub-Committee that he had controlled the previous tenant for a period of 10 years through the medium of the lease, the inference being that he would continue to do so and ensure that the new tenant, Mr Souski, complied with all of the SEV conditions. Unfortunately, it appears that Mr Moseley was not aware of an incident, which led to the revocation of the SEV licence operated from his premises in 2019, or if he was aware of it, he did not think it relevant to inform those representing him at the hearing. The Sub-Committee accepts that ordinarily, an applicant for transfer is not responsible for the actions or conduct of the previous licence holder, but the applicant presented this case on the basis that Mr Moseley, through the lease, would ensure that the SEV licence operated appropriately. He was asking the Sub-Committee to accept that he would be able to ensure compliance with SEV conditions when his new tenant, Mr Souski operated the business. Answering questions Mr Moseley did not appear to have any real knowledge or understanding of the conditions that would be attached to a SEV licence.

Turning to Mr Souski, Ms Clover told the Sub-Committee that they should be assessing his suitability not that of the applicant. Mr Souski, the Sub-Committee are told has operated licensed premises in the area for ten years without incident. Mr Souski addressed the Sub-Committee, said that he had not held an SEV licence before but been involved with adult entertainment offered on occasion in venues he operated. He expressed a willingness to work with the police and licensing authority.

The Sub-Committee agree with Ms Clover that a licence holder does not need to be present at the venue when it is operating. Companies such as Spearmint Rhino have management structures in place to ensure that the venues operate in accordance with licence conditions. The difference in the case before us is Mr Moseley is not describing an employer/employee relationship, instead, he is asking the Sub-Committee to accept that he can ensure compliance with licence conditions via a landlord and tenant relationship. The Sub-Committee have not been provided with a copy of the lease and note the final standard SEV licence condition, which prohibits the licence holder letting the premises to another. It is a small point but worth noting that no mention of Mr Souski's involvement in running the premises was made at the time of the application. The information came within Mr Moseley's statement served 24.05.21. At that stage, he was negotiating a lease but was not willing to commit until the transfer application had been determined, but by this hearing, some four weeks later, the lease had been signed.

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The Sub-Committee heard that the intention is for Mr Souski to apply for transfer of this licence once this application has been resolved. Whilst this may be the case, the Sub-Committee must consider the application before them, not what may or may not happen in the future.

This is an unusual situation where the holder of the SEV licence does not have the right to occupy the premises. During the hearing, it was described as a 'homeless' licence, that is not correct as the licence has a home at 15-17 Queen Street but it cannot currently be used by the licence holder. That does not automatically mean that the premises owner is entitled to have the licence transferred to him, the licensing authority must apply the provisions of the Act, taking into consideration the relevant sections of their policy.

In reaching their decision, the Sub-Committee considered the suitability of the applicant company with its sole director Mr Moseley to hold this licence having regard to paragraph 3.2 of the Council's policy, in particular:

- b) That the operator is qualified by experience and/or knowledge to run the type of sex establishment. That the operator understands the general conditions and will comply with them
- f) That the operator can show either a track record of management of compliant premises, or that he/she has an understanding of the rules governing the type of licence applied for.

The Sub-Committee formed the view that the answer to both b) and f) above was no.

Having considered all of the representations, the Sub-Committee concluded that the applicant is unsuitable to hold this licence based on the history of regulatory non-compliance and lack of experience/understanding of licence conditions.

The application by Pool Construction Limited to transfer this licence is refused.

The applicant has the right to appeal to the Magistrates' Court within 21 days. Any appeal must be lodged in writing, accompanied by a copy of this notice to Lancashire Magistrates' Courts, Lawson Street, Preston, Lancashire PR1 2QT. Please note a fee will be payable to the Magistrates' Court

Yours faithfully

Sharon Davies

Sharon Davies
For Head of Corporate Legal

Lexcel Accredited

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You are here » Home » Licensing Act Premises Search » Detail » **Application**

Licensing Act 2003 - Premises Licence Register as at 13:18 on 22 March 2022

Shadow Queen

15 - 17 Queen Street, Blackpool, Lancashire, FY1 1NL

Completed application 087243 which is a Change of Supervisor for Premises Licence from 11/11/2021 to indefinite

Applicant(s)

Full Name:	Rms Coastal Resorts Investments Ltd
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Designated Premises Supervisor

Full Name:	Miss Izabela Marta Stecka
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Permitted Activities

- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol
- an exhibition of a film
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance

Premises Open Hours Requested

	Time From	Time To
Licensed Area Monday - Sunday	11:00	03:30

Activities - Times Requested

	Time From	Time To
B. Exhibition of films (Indoors) Licensed Area Monday - Sunday	11:00	03:00
E. Performance of live music (Indoors) Licensed Area Monday - Sunday	11:00	03:00
F. Playing of recorded music (Indoors) Licensed Area Monday - Sunday	11:00	03:00
G. Performance of dance (Indoors) Licensed Area Monday - Sunday	11:00	03:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors) Licensed Area Monday - Sunday	11:00	03:00
I. Late night refreshment (Indoors) Licensed Area Monday - Sunday	23:00	03:00
J. Sale by retail of alcohol for consumption ON the premises only Licensed Area Monday - Sunday	11:00	03:00

Additional Conditions

Annex 1 - Mandatory conditions

Alcohol

- 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 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, 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 -
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years 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 either a holographic mark, or an ultraviolet feature.
- 6 The responsible person must ensure that -
 - (a) where any of the following alcoholic drinks are 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: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:-

- a. "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- b. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervision

8 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

Exhibition of films

9 Where the film classification body is specified in the licence, unless the below applies, admission of children must be restricted in accordance with any recommendations made by that body.

Where -

a) The film classification body is not specified in the licence,

or

b) The relevant licensing authority has notified the holder of the licence that this condition is applied to the film in question,

Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Annex 2 - Conditions consistent with the Operating Schedule

1 An additional hour for all permitted activities shall be added to the terminal time on the morning of the Friday, Saturday, Sunday and Monday of an official English Bank Holiday weekend, on the morning British Summer Time commences, and between 24th - 30th December, 1st - 3 January. On New Year's Eve hours shall extend from the end of permitted hours on 31 December to the start of permitted hours on 1 January.

2 No entertainment of an adult nature will take place on the premises.

- 3 The provision of food shall form a substantial element of the operation of the premises. Menus will be displayed on tables throughout the trading period. This will include the provision of table meals up to 9pm each night and thereafter, snacks will be available. This condition does not relate to the ground floor of the premises.
- 4 The premises shall contain sufficient furniture and seating in order that they do not become a High Volume Vertical Drinking establishment as defined at para 10.41 Statutory Guidance and food will be available at all times when the premises is open.
- 5 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.
- 6 There will be a dispersal policy to prevent crime and disorder and to promote public safety.
- 7 Door staff licensed by the SIA will be utilised if required, following a risk assessment.
- 8 The premises will be operated in accordance with the principles outlined by the Nightsafe initiative, as are relevant to those premises and indicated in the associated leaflet.
- 9 The premises will be operated in participation with the 'Pubwatch' scheme.
- 10 Recorded music will continue until the time for the sales of alcohol cease. There will then be a further period of 30 minutes when incidental background music only will be played whilst drinks containers and food utensils are collected, and patrons gradually dispersed towards the exit. Closure of the premises to the public will occur 30 minutes after alcohol sales terminate.
- 11 The licence holder and / or the designated premises supervisor shall be a member of the Pubwatch, Clubwatch or Bar U Scheme.
- 12 The premises shall be a member of the 'Radio Link' scheme whilst such a scheme is in operation. The Radiolink equipment will be live and monitored by either the head doorman or other responsible member of staff authorised by the Designated Premises Supervisor.
- 13 All staff shall receive monthly training, in particular in relation to the prevention of underage sales and sales to drunken persons. Records of such training will be available to an authorised person upon request.
- 14 There shall be no drinks promotions which would contravene the British Beer and Pub Association Standards for the Management of Responsible Drinks Promotions including Happy Hours or the Social Responsibility Standards for the Production and Sale of Alcoholic Drinks in the UK.
- 15 There shall be provided at the premises door supervisors who are registered with the SIA to such a number as the management of the premises consider are sufficient as a consequence of a risk assessment to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity. At least one door supervisor will be on duty during licensable hours beyond 0300 hours.
- 16 A record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor. The record shall contain the following details:
- i. name, address
 - ii. date of birth
 - iii. SIA licence number
 - iv. time commenced duty and time terminated duty
- That record shall be available for inspection on demand by an authorised person, the SIA or a Police Constable.
- 17 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.
- 18 If door supervisors are required following a risk assessment, they will ensure that no customer shall enter or leave the premises from / to the public highway or public place with any open bottle, glass or

container except by way of trade delivery.

- 19 All door supervisors must wear High Visibility jackets at all times whilst working on the premises.
- 20 Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.
- 21 There will be a zero tolerance drugs policy at the premises.
- 22 At least one personal licence holder will be available on the licensed premises while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of an emergency.
- 23 There will be frequent collections of drink containers and glassware to avoid accumulation.
- 24 All drinking vessels on the ground floor must be polycarbonate or plastic.
- 25 SIA trained door staff will be on duty, if necessary, following a risk assessment, on each occasion and at least one SIA licensed door supervisor will be on duty at the premises during the time when licensable activities are taking place beyond 0300 hours.
- 26 There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
- 27 During the final hour of trading appropriate announcements will be made or images are projected to remind patrons of the need to leave the premises without causing annoyance, nuisance or disturbance to local residents and to advise patrons of any taxi free-phone or collection arrangements available upon the premises.
- 28 All external doors and windows to any entrance / exit point (to include balcony areas) and any external windows shall be closed by midnight during hours of live entertainment, except in the event of an emergency, save for the purpose of access and egress.
- 29 All fire exit doors shall remain closed during regulated entertainment except in the event of an emergency, save for the purpose of access and egress.
- 30 The collection and disposal of bottles and refuse should not take place externally between the hours of 2200 and 0800.
- 31 The licence holder shall ensure that adequate ventilation is provided so as to ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to properties within close proximity.
- 32 The licence holder shall provide suitable containers for the storage of waste which are constructed and maintained to prevent the removal of such waste by vandal, thieves, animals, accidental spillage or inclement weather.
- 33 Any external light source associated with the premises shall not cause a nuisance or disturbance to any property within close proximity.
- 34 All staff will receive monthly 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.
- 35 Persons who appear to be under the age of 25 years shall be required to produce proof of age by way of one of the following:
- i. A recognised proof of age card accredited under the British Retail Consortium's Proof of Age Standards Scheme (PASS)
 - ii. Photo Driving Licence
 - iii. Passport
 - iv. Citizen Card supported by the Home Office
 - v. Official I.D. card issued by HM Forces or European Union bearing a photograph and birth of the holder.
- 36 British Beer and Pub Association and / or Trading Standards 'Challenge 25' posters / notices shall be prominently displayed at the premises.
- 37 Any Gaming Machine which is placed in the premises will comply with the Code of Practice issued by the Gambling Commission under Section 24 Gambling Act 2005.
- 38 The capacity of the ground floor will be limited to 100 (one hundred) people.

39 Seating must be available for at least 50 people on the ground floor at all times.

Annex 3 - Conditions attached after a hearing by the licensing authority

- 1 All staff must attain BIIAB Level 1 training (or equivalent) within 4 weeks of commencement of employment at the premises.
- 2 CCTV will be installed internally and externally at the premises and will comply with the following:
 - The CCTV 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, are to be covered by the system, including any outside seating area;
 - The system will display on any recording the correct time and date of the recording;
 - The system will make recordings during all hours the premises are open to the public;
 - VCR tapes or digital recording shall be held for a minimum 31 days and 28 days respectively, after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request;
 - The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.
- 3 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times when the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum or delay when requested.
- 4 The Licence holder or Designated Premises Supervisor shall notify the Police Licensing Unit on any occasion when the CCTV or radio 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 That two SIA trained door staff will be on duty from 9pm on Thursday, Friday and Saturday nights.

Annex 4 - Plans

See attached reference PL1646 / 1 / 2, PL1646 / 2 / 2