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26 May 2022

Dear Sirs

**Re: Objection to grant of Sexual Entertainment Venue (SEV) Licence
Mystique, 1st & 2nd Floor, 15-17 Queen Street, Blackpool**

We act for AAEntertainment 1 Limited, the holder of a SEV Licence (SEV00005) at 132-134 The Promenade, Blackpool FY1 1RA and AA Recreation 1 Limited, which has a new SEV Licence application decision pending at 11-13 Queen Street, Blackpool FY1 1NL.

On 29 April 2022, an application was submitted by UK Exclusive Entertainments Limited for the grant of a new SEV Licence for Mystique, 1st & 2nd Floor, 15-17 Queen Street, Blackpool.

Our clients' object to the grant of a SEV Licence under Schedule 3, s.10 (15) Local Government (Miscellaneous Provisions) Act 1982.

We should initially point out that this site is currently subject to an appeal to the Magistrates' Court, following a refusal by the Council's Public Protection Sub-Committee to transfer a SEV Licence to Pool Construction Limited 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 on 22 April 2022, 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 – see **Appendix A**. Pool Construction Limited appealed the decision to the Magistrates' Court. However, the appeal has still not been listed for a substantive hearing, eleven months on from the Committee's original decision. Regrettably, it appears that lodging an appeal was a delaying tactic, whilst attempts were made by other parties connected to Mr Moseley/Pool Construction Limited to restore a SEV Licence at the property. The SEV Licence at 15-17 Queen Street has now expired and the only way it can be restored is by the Magistrates Court concluding that the Committee's decision to refuse the transfer was wrong.

In our view, Pool Construction Limited must now conclude its appeal before any subsequent SEV Licence applications in relation to this site can be determined. This is a view that is shared by the Council's Sub-Committee, as it has already deferred its decision on our client's application for a new SEV Licence. On 8 September 2022, a final decision on our client's application for a new SEV Licence at 11-13 Queen Street was deferred "until the Magistrates' Court has determined Mr Moseley's appeal". A copy of that decision letter is attached – see **Appendix B**.

Once the Pool Construction appeal has been concluded, our client's application must have priority for determination, as the application was submitted on 8 April 2021, over 12 months before the date of this application.

Our client objects to the grant of a new SEV Licence to UK Exclusive Entertainments Limited for the following reasons:

(a) That the applicant is unsuitable to hold the licence:

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 a new 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:

- (i) Mr Suski 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 operated in breach of licence condition 4 (not to be a HVVD and food must be available at all times) and condition 39 (seating must be available for at least 50 people on the ground floor). Neither of these conditions are complied with at the premises, which is a criminal offence. 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; and
- (ii) Rafael Suski (and Arkadiusz Marczak) were previously named as the intended operator of the SEV Licence at 15-17 Queen Street, when Pool Construction (Mr Moseley) applied to transfer it in April 2021. The involvement of these individuals in the business was not disclosed until the objection period had closed. On receipt of this information, the Council's Licensing Service raised concerns about the suitability of Rafael Suski (and Arkadiusz Marczak) to operate licensed premises in Blackpool. These concerns related to the involvement of the individuals in other



licensed premises in Blackpool during Covid, in breach of Covid regulations. A copy of the evidence lodged by the Licensing Authority in relation to that hearing can be seen at **Appendix C** and **Appendix D**. The Licensing Authority concluded that “this gives rise to serious concerns about their suitability to be in operational control of the aforementioned SEV Licence.” Mr Suski is a Director of UK Exclusive Entertainments Limited and owns over 75% of the shares in this company¹. If, in the eyes of the Council’s Licensing Service he is not a suitable person to be in control of a SEV Licence, a licence should not be granted to a company controlled by him.

Unsuitability to hold a SEV Licence is a ground on which the Council may refuse to grant a licence to an applicant. In our submission, the applicant, UK Exclusive Entertainments Limited is unsuitable to hold a SEV Licence in Blackpool. The SEV licence conditions are unlikely to be complied with by the applicant, given the track record of Mr Suski and concerns previously raised about his suitability by the Licensing Authority.

(b) That if the licence were granted, the business will be managed by, or carried on for the benefit of, a person who would be refused the grant of a licence:

If the SEV Licence were granted, it is our submission that the business would be carried on for the benefit of Mr Moseley and/or Pool Construction Limited (the landlord of the building) which has already been refused the transfer of the licence on the grounds of suitability. At the hearing on 22 June 2021, Mr Moseley told the Sub-Committee that Mr Suski was the prospective tenant of the building 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 the applicant to hold a licence in Blackpool. In our submission, UK Exclusive Entertainments Limited has been incorporated as a “clean” company with Mr Moseley’s involvement and knowledge, in order to disguise the fact that he will financially benefit from the operation of the business. No lease of the premises has been provided showing UK Exclusive Entertainment as a tenant of the property. It is our submission that this application is a front for Pool Construction Limited and/or Mr Moseley and that the business will be carried on for Mr Moseley’s benefit. The Council’s Licensing Sub-Committee has previously found Pool Construction Limited and/or Mr Moseley to be unsuitable to hold a SEV Licence in Blackpool.

(c) That the number of sex establishments in the locality would exceed the number the Council considers is appropriate for that locality:

The Council’s Sex Establishment Policy 2021-2026 was in force when this application was made (29 April 2022). The Council’s Sex Establishment Policy 2021-2026 states that “The Local Authority may refuse an application if it is satisfied that the number of sex

¹ <https://find-and-update.company-information.service.gov.uk/company/13867058/persons-with-significant-control>



establishments of a particular kind in the relevant locality at the time the application is made, is equal to or exceeds the number, which the authority considers is appropriate for that locality". The Council has determined that the appropriate number of sexual entertainment venues in the Bloomfield, Claremont and Talbot Wards is **nil**. Whilst a SEV Licence was previously in force for these premises, this has lapsed. The Council's Policy makes it clear that "where..... a licence has lapsed or been revoked, new applications will be subject to the new policy on numbers".

The granting of a new SEV Licence in this location would exceed the appropriate number and granting a licence would therefore be in breach of the Council's Sex Establishment Policy 2021-2026.

By way of contrast, the Committee will note that the Council's Sex Establishment Policy 2016 applies to our client's SEV Licence application for 11-13 Queen Street, that is awaiting determination. The 2016 Policy, which was in force at the time that application was made, sets a limit of 4 sexual entertainment venues in the Bloomfield, Claremont and Talbot Wards. Furthermore, our client offered to cancel the SEV it controls at 169 Promenade, Blackpool FY1 5BQ (SEV0002), as a condition of it being granted a SEV Licence at 11-13 Queen Street. If approved, this would reduce the number of SEV Licences operating in Blackpool to three. UK Exclusive Entertainments Limited is not in a position to cancel any SEV Licence.

(d) That the grant of a licence would be inappropriate having regard to the use to which any premises in the vicinity are put:

The application for a new SEV Licence submitted by our client at 11-13 Queen Street, which is awaiting determination, has priority over this application. A decision has been deferred, due to the ongoing Magistrates' Court appeal. When considering the application for 11-13 Queen Street, the Committee was concerned about identical businesses operating next door to each, in the event that the Court found on appeal that the Council's decision was wrong and granted the transfer. It would be inappropriate therefore to grant a SEV Licence at 15-17 Queen Street, as (if the SEV for 11-13 Queen Street has already been granted by the time this application is considered) this would place two sexual entertainment venues next door to each other on Queen Street.

We will await confirmation of a Sub-Committee hearing date to consider this application. However, we wish to make it clear that, like our client's pending application, this application should not be determined until Mr Moseley's appeal has been concluded. Once the appeal has been concluded, our client's pending SEV application must have priority for determination ahead of any new SEV application.



Yours faithfully,

Keystone Law

Keystone Law Solicitors



Date: 25 June 2021

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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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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

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For Head of Corporate Legal

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Date: 20 September 2021

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Dear Sirs

Re: Application for a SEV licence at 11-13 Queen Street Blackpool

On 8th September 2021, the Public Protection Sub-Committee considered an application by AA Recreation 1 Ltd for a new SEV licence at 11-13 Queen Street Blackpool. Mr Newton, the director of the applicant company attended the hearing represented by Mr Williams. Ms Clover, Counsel appeared to represent David Moseley who had lodged a written objection to the application outside of the 28-day period for objections.

The panel first considered whether they should hear Mr Moseley's objection. Having heard representations from both parties, they determined that they should exercise their discretion to consider the objections as Ms Clover had informed them that concerns had been raised during a previous hearing to consider Mr Moseley's application to transfer the SEV licence for Eden, 15-17 Queen Street and the objection was submitted within days of that hearing.

The objection was on a number of grounds:

1. To grant would create a 5th SEV venue, when the Council's policy was 4.
2. In the application, the applicant offered to surrender the licence for 15-17 Queen Street, any surrender would be unsafe due to the on-going appeal against the refusal to transfer the licence to Pool Construction Ltd, Mr Moseley being the director of that company.
3. Mr Newton is an unsuitable person to be granted a licence due to the poor quality of his existing operations. Mr Newton's honesty and integrity had been called into account in view of his dealings with Mr Moseley and his holding to ransom of the existing licence for 15-17 Queen Street.
4. Mr Newton had expressed the wish to hold all SEV licences in Blackpool which would have the effect of creating a monopoly

The Sub-Committee were not persuaded by the argument that Mr Newton (and therefore his company) are unsuitable to hold a licence. Mr Newton is an experienced operator of SEV venues in Blackpool. Had

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the Police or the Licensing Service had any concerns about the operation of his venues, the Sub-Committee would have expected at the very least to have received objections to this application. Indeed, had Mr Moseley had any genuine concerns about Mr Newton's suitability as a licence holder, the Sub-Committee would have expected him to have lodged his representations during the 28 day period allowed by the legislation. At the time of the hearing in June that led to the objection, these venues were still closed, and had been since the first lockdown in March 2020 therefore Mr Moseley's views on the shabbiness of Mr Newton's other businesses must have been formed prior to the enforced closure. The Sub-Committee are also aware that Mr Newton and Mr Moseley entered into negotiations concerning the lease for 15-17 Queen Street and Mr Moseley appears to have been content to grant a lease, the breakdown of the negotiations appear to have been over clauses in the lease, not Mr Moseley's suitability to operate that type of business. Mr Moseley's comments about Mr Newton holding the existing licence to ransom are noted, but it was this Sub-Committee, who determined that Mr Moseley was unsuitable to hold this licence, not Mr Newton. Whilst this decision is subject to appeal, Mr Newton's honesty and integrity cannot be called into question for raising the concerns to the Sub-Committee, which they felt sufficient to refuse the transfer application.

Mr Moseley's comments concerning a monopoly are noted and will be taken into consideration in the event that the Sub-Committee are asked to consider an application that would have the effect of creating a monopoly.

The Sub-Committee are aware that a licence is not a possession. Accordingly, they would not require the surrender of a licence as a condition of granting another of their own initiative. There can be situations where an operator wishes to move their business in circumstances where the authority are unlikely to grant an additional licence. In this situation, the authority would look to work with the operator with a view to assisting the operator to move, if possible. It is possible in the authority's view to engineer a situation where one licence is granted and one is surrendered if the parties so desire. Although the Sub-Committee has discounted Mr Moseley's objections, the existence of the licence at 15-17 Queen Street does cause concern. Mr Newton has indicated that even if he could operate the licences at 11-13 and 15-17 Queen Street, he would not as it would not be commercially viable, as he would be competing against himself. If Mr Moseley is successful in his appeal, and he obtained the licence for 15-17 Queen Street, granting a licence for 11-13 Queen Street to Mr Newton would result in identical businesses next door to each other operated by parties who have been in dispute with each other. This type of establishment does not appeal to everyone enjoying the night-time economy in Blackpool, the Sub-Committee's concern is that the granting of the licence applied for today could result in identical businesses next door to each other competing for the same, limited market creating conflict. For this reason, the Sub-Committee is of the view that it cannot make a final decision on this application without knowing the result of the appeal concerning 15-17 Queen Street. The Sub-Committee therefore defer their decision on this application until the Magistrates' Court have determined Mr Moseley's appeal.

Yours faithfully

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Supplementary Evidence - SEV Transfer Application – Eden, 15-17 Queen Street, Blackpool

On the 8th April 2021 the Licensing Service received an application for the transfer of the Sexual Entertainment Venue (SEV) licence for 15-17 Queen Street, Blackpool. The application was made via the GOV.UK online application system, following receipt of the application the Licensing Service requested further information in relation the application on the 9th April 2021 (see attached email). The answers to questions 1 - 3 are of particular relevance when considering this application:

1. *If the premises are not open between 09:00 am and 16:00 state name and contact details of person responsible for keys to the premises?*

Name: David Moseley

Address: xxxxxxxxxxxx

Tel: xxxxxxxxxxxx

Email: xxxxxxxxxxxx

2. *Give the name, address and date of birth of the person who will be in day to day management control of the premises? As above.*

Name:

DOB:

Address:

Tel:

Email:

3. *Give the name, address and date of birth of any other person who will be engaged in managing the premises? As above.*

Name:

DOB:

Address:

Tel:

Email:

The last date for representations to be made against the application was on the 5th May 2021. On the 24th May 2021 the Licensing Service received a witness statement from Kuits Steinart Levy on behalf of David Moseley. Points 24 to 30 of that statement explain that Rafael Souski is to be the intended tenant for 15-17 Queen Street. Rafael Suski and Arkadiusz Marczak have been named as the people who would be in operational control of the premises and SEV licence should the transfer be granted. This is contrary to the email received by the Licensing Service on the 9th April 2021, which stated that David Moseley would be the sole person in management control of the premises.

This new information was provided after the last date for representations and in the Licensing Services view forms a crucial part of the process for considering the SEV transfer application. The Licensing Service has now had the opportunity to consider the suitability of these individuals and would like to bring the following information to the attention of the Sub-Committee.

The Licensing Service has now had the opportunity to consider the suitability of Rafael Suski & Arkadiusz Marczak. Mr Suski currently holds premises licences for 2 hotels in Blackpool, the New Osterley Hotel, 80-84 Adelaide Street & the Royal Windsor Hotel, 245-249 Promenade. Both licences

are held in limited company names of which Mr Suski is a named director, he has held the licences since the 24th May 2018 and 2nd September 2016 respectively. There have been no recorded compliance issues with either of these premises since the subsequent transfers to Mr Suski.

More recently Mr Suski & Mr Marczak obtained the licence for the recently opened Shadow Bar, Clifton Street in the name of limited company of which they are both named as directors on the 2nd September 2020, as detailed in the statement of David Moseley. There is also another hotel/bar that we believe that both men have an invested interest in, South Beach Kings Promenade Hotel, 465-467 South Promenade, the bar on the ground floor of this premises is liveried Shadow Bar South Beach. The premises licence for the hotel was transferred into the name of Tomasz Sankiewicz on the 25th September 2020 and Mr Sankiewicz is currently the Designated Premises Supervisor (DPS) for the premises. The Licensing Service know through recent compliance visits that Arkadiusz Marczak is in managerial control of South Beach Kings Promenade Hotel.

Since step 2 of the governments 'Road Map out of Lockdown', which commenced on the 12th April 2021, the Public Protection team has been engaging in compliance operations throughout Blackpool. During these operations officers have had cause to visit both Shadow Bar & Shadow Bar South Beach on numerous occasions in relations to compliance issues with Covid 19 regulations & guidance. I have attached a summary of those visits for your review.

It is the Licensing Service view that the nature and number of visits made to these premises in relation to non-compliance raise concerns about Rafael Suski & Arkadiusz Marczak suitability to be in operational control of the SEV licence for 15-17 Queen Street. Advice and instruction on compliance has been offered by officers on a number of occasions and of the past 2 months and yet visits are still being made in relation to the same issues on the 12th June 2021.

Although no formal action has been taken with regard to non-compliance the Licensing Service would conclude that Rafael Suski & Arkadiusz Marczak took operational control of both licensed premises in September 2020 and since the re-opening of both venues on the 12th April & 17th May respectively and have been visited by officers for non-compliance with Covid 19 regulations & guidance on a number of occasions. This gives rise to serious concerns about their suitability to be in operational control of the aforementioned SEV licence.

Summary of Visits by Public Protection - South Beach Kings Promenade Hotel (Shadow Bar South Beach), 465 – 467 South Promenade & Shadow Bar, 19 -23, Clifton Street

16th April 2021

Shadow Bar South Beach - Officers observed issues around the music level and use of external speakers, officers observed patrons getting up and dancing.

17th April 2021

Shadow Bar South Beach – Officers observed loud music playing from external speakers after 21.00hrs, officers identified Arkadiusz Marczak as the person in managerial control on site and he was advised to turn the music off, which he complied with. On further investigation the manual list being maintained for the purposes of track and trace was unsatisfactory, not all names and phone numbers of every patron had been recorded and officers advised on keeping the correct information.

24th April 2021

Shadow Bar South Beach – Officers observed loud music from the external speakers, staff and the DJ were informed to keep music low and to a background level.

8th May 2021

Shadow Bar South Beach – Officers attended and spoke to Arkadiusz Marczak following a complaint from a taxi driver of people standing up & dancing the previous night (video evidence provided by complainant). Marczak stated there was a couple of instances when customers had got rowdy and on each occasion music was stopped until they sat down. Advised to keep a close eye on customers and ensure they remain seated.

17th May 2021

Shadow Bar – Officers observed customers leave the premises with an alcoholic drink in a glass and stand across the road. Door supervisor advised of the observations and the glass was subsequently removed from the customers, door supervisor reminded of their responsibility to ensure glasses are not removed from the premises.

21st May 2021

Shadow Bar – Officers attended and observed groups of girls being allowed to stand up and dance. Manager turned the music off during the visit, that caused the patrons to start clapping and chanting. Officers had a heated discussion with the manager on site regarding covid safety measures.

Shadow Bar South Beach – Officers attended and spoke to Arkadiusz Marczak regarding the music level from the external speakers and large group of people sat at different tables but very close together congregating and messing about.

22nd May 2021

Shadow Bar – Officers attended and advised on the volume of music and it being at a background level. Spoke to manager and informed that if it does not stay at a background level then we would need to look at having it at a set level. Music was above background level at time of visit, went back later on and it had been lowered.

29th May 2021

Shadow Bar South Beach - Spoke to the DPS Tomasz Sankiewicz who was outside in his car talking to Arkadiusz Marcrak DPS of Shadow bar on Clifton St. Explained the music was always too loud in the outside area and he should be in control of it, the bass level in particular was extremely loud on officers arrival. Marcrak then stated Sankiewicz would be coming off the licence as DPS as Sankiewicz was his business partner in hotels they were involved in and someone else would be nominated as DPS for South Beach Kings & Shadow bar that would be at the venues constantly

Shadow Bar – Officers attended and reminded the staff regarding music level to be at a background level.

5th June 2021

Shadow Bar South Beach – Officers attended on 2 separate occasions regarding excessive music levels from external speakers, warnings given by officers on both occasions to ensure music is kept at a background level.

12th June 2021

Shadow Bar South Beach - Officers attended regarding music level in the outside area, DJ set outside, the music was very loud and could be clearly heard at the junction of Waterloo Road. Spoke to Arkadiusz Marcrak and the DJ about the music. Music level was lowered by the DJ and then subsequently turned up again while officers were still on site. Marczak demonstrated no control over the actions of the DJ.