

Public Document Pack

Blackpool Council

15 August 2023

To: S Brookes, Cooper, Roe and Hunter

The above members are requested to attend the:

LICENSING PANEL

Tuesday, 22 August 2023 at 10.00 am
in Committee Room B, Town Hall, Blackpool

A G E N D A

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

- A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.
- B. Items 2, 3 and 4(a) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION FOR PREMISES LICENCE 33-37 BANKS STREET FY1 2AR (Pages 1 - 54)

To consider an application for a Premises Licence for Wellhorny's, 33-37 Banks Street, Blackpool, FY1 2AR.

- A. Application and representations submitted. To consider the attached report.
- B. Determination of the application for a Premises Licence – Wellhorny's.

The Licensing Panel will indicate how the decision is to be communicated to interested parties.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Tyrone Wassell, Democratic Governance Advisor, Tel: 01253 477153, e-mail tyrone.wassell@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	LICENSING PANEL
Relevant Officer:	Judith Brooks-Brennan, Licensing Officer
Date of Meeting:	22 August 2023

APPLICATION FOR A PREMISES LICENCE – Wellhorny’s, 33-37 Banks Street, Blackpool, FY1 2AR

1.0 Purpose of the report:

1.1 To consider an application for a New Premises Licence for Wellhorny’s, 33-37 Banks Street, Blackpool, FY1 2AR

2.0 Recommendation(s):

2.1 To 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 30th June 2023 the Licensing Service received an application from a Mr Paul Richardson for a new Premises Licence at 33-37 Banks Street, Blackpool, FY1 2AR. The premises has previously been licensed as the Graydon Hotel between 2nd April 2014 to 30th January 2023 when it was surrendered.

6.2 The application requests recorded music indoors Monday to Sunday 00:00- 00:00, permission to sell alcohol for consumption on the premises Monday to Sunday 00.00 – 00.00, the provision of late night refreshment indoors Monday to Sunday 23.00 – 05.00. The Premises would only be open to the public Monday to Sunday 12:00 - 02:00. A copy of the application is attached at Appendix 4a.

6.3 Representations have been received from 3 members of the public, Mr Iain Ferguson, Mr Steven Taylor and Ms Sarah Taylor. Copies of the representations are attached at Appendix 4d, Appendix 4e and Appendix 4f.

6.4 Local policy considerations:

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

4.4.2 - The Council wishes to develop a diverse night-time economy but acknowledges that any licensable activity has the potential to impact adversely on the surrounding area either by disturbance caused by crime and disorder or by nuisance caused by customers being noisy when leaving/using on-street car parking. The impact of these activities can be greater at night when ambient noise levels are much lower.

6.5 National policy considerations:

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and

unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

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.

6.6 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 Appendix 4a Application form for a New Premises Licence
Appendix 4b Supporting Evidence from Applicant (12 photos)
Appendix 4c Supporting Evidence from Applicant (2 emails)
Appendix 4d Objections from Mr Iain Ferguson
Appendix 4e Objection from Mr Steven Taylor
Appendix 4f Objection from Ms Sarah Taylor

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.

Appendix 4a



Blackpool
Application for a premises licence
Licensing Act 2003

For help contact
licensing@blackpool.gov.uk
Telephone: 01253 478397

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Yes No Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Appendix 4a

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	Welhorny's 33-37
* Street	Banks Street
District	
* City or town	Blackpool
County or administrative area	
* Postcode	FY1 2AR
* Country	United Kingdom

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	Welhorny's 33-37
Street	Banks Street
District	
City or town	Blackpool
County or administrative area	
Postcode	FY1 2AR
Country	United Kingdom

Further Details

Telephone number	01253759711
Non-domestic rateable value of premises (£)	8,400

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Right to work share code Right to work share code if not submitting scanned documents

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

8 bed guest house for private guests and public bar for private members if approved on the premises, with own private quarters. The premises previously operated as a guest house with premises license under different ownership

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Music will be controlled and will be no louder than 80 decibels, All music will be turned down to background level after 2am.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

private residents midnight to midnight, General Public (private members) 12pm until 2am

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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Continued from previous page...

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Richardson

Date of birth

/
dd mm yyyy

Enter the contact's address

Building number or name

Welhorny's 33-37

Street

Banks Street

District

City or town

Blackpool

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

VEPERS1054

Issuing licensing authority
(if known)

Calderdale Council

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

Continued from previous page...

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Adults only venue, no children allowed

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Fully operational cctv inside and outside the premises, Doorbell only entry and a strict membership policy, all fire alarms and fire safety checks carried out weekly. Strict anti drugs policy implemented, full training to prevent binge drinking and the serving or entry of people intoxicated. Music turned down to background level after 2am, music controlled and no louder than 80 decibels. signage asking people leaving to leave quietly. no children allowed on the premises at any time.

b) The prevention of crime and disorder

Fully operational CCTV inside and outside the premises recording 24 hrs and stored on a hard drive for thirty days and serviced when required. Doorbell only entry to premises and a strict membership/guest membership only policy monitored and implemented at all times. A visitors book will be signed by all people entering building.

c) Public safety

All fire alarms and fire safety checks carried out weekly, full cctv internally and externally. Strict anti drugs policy implemented, All staff trained to prevent binge drinking and serving people or allowing entry to people intoxicated.

d) The prevention of public nuisance

Turn music down to background level after 2am, The music will be controlled and no louder than 80 decibels. our house rule is you must be able to talk over the music without shouting, signage asking the public to leave quietly.

Continued from previous page...

e) The protection of children from harm

No children allowed on the premises at any time.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/blackpool/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

and any premises licence to be granted or varied in respect of this application made by

PAUL RICHARDSON

[name of applicant]

concerning the supply of alcohol at

Welhomy's
33-37 BANKS STREET
BLACKPOOL
FY1 2AR

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

VEPERS1054

[insert personal licence number, if any]

Personal licence issuing authority

CALDERDALE COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

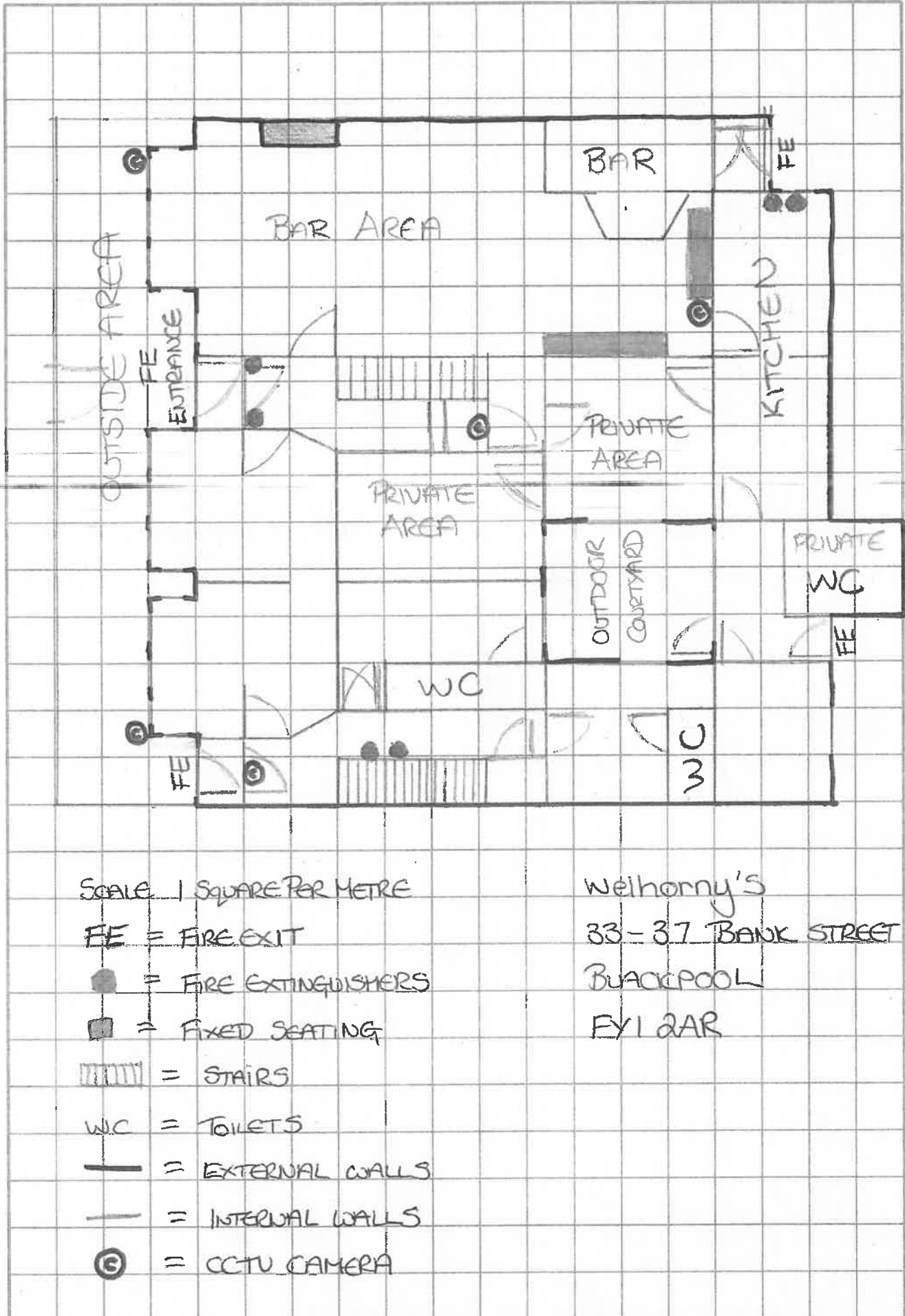


Name (please print)

PAUL RICHARDSON

Date

30/06/2023



SCALE 1 SQUARE PER METRE

FE = FIRE EXIT

● = FIRE EXTINGUISHERS

■ = FIXED SEATING

▤ = STAIRS

WC = TOILETS

— = EXTERNAL WALLS

— = INTERNAL WALLS

Ⓢ = CCTV CAMERA

Weiherhorny's

33-37 BANK STREET

BLACKPOOL

FLYBAR

From: Paul Richardson
To: [Licensing la2003](#)
Subject: Re: Welhorny's, 33 - 37 Banks Street
Date: 04 July 2023 09:13:00

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Good morning,

Just to add to the brief description that you required yesterday, we would like to mention that we would only be looking to have what we class as a party night on a Friday, Saturday and Wednesday, this is where by the music would not exceed people being able to communicate to each other with out having to shout to do so. All the other nights would be more relaxed sociable background music.

~~I hope this shows we are being very considerate to our surrounding neighbours.~~

Thanks,
Paul Richardson

From: Paul Richardson
To: [Licensing la2003](#)
Subject: Re: Welhorny"s, 33 - 37 Banks Street
Date: 03 July 2023 15:43:13

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Dear Licensing,

I have been asked to email a brief description of the business for your reference.

Welhornys is a private members naturist bar, accommodation and facilities for gay and bi men. Access is via camera doorbell only not open to non members or the general public. Strictly 18 or over, proof of I.d. required for membership and fire safety to know who is in the building at any given time. No adult behaviour will be tolerated in the bar and public areas.

If you require any more details don't hesitate to get in touch.

Kind regards,

Paul Richardson.

Welhorny's Membership Form

Name: Contact Number:

Email Address:

Address:

As of the below date ourselves Wolfie & WolfRider accept your request for membership at:
Welhorny's, 33-37 Banks Street, Blackpool, FY1 2AR.

Telephone Number 01253 759711

Your Membership will commence 24 hours after ourselves accepting your completed form unless you have booked into the accommodation in which case your membership will commence immediately once payment has been received.

~~Upon booking a room your membership will be included in your room fee otherwise it will be a £10.00 one off payment for a lifetime membership which you will be required to bank transfer or pay in house. Upon receipt of payment and form you will automatically receive your membership card either by post or upon your arrival.~~

At Welhorny's establishment we offer you a place to come stay, relax, socialise, party and cruise should you wish to for gay and bi men only in a naturist environment. Which means you will be expected to be naked whilst in the premises. Should you be a little bit nervous we will allow you a short period of time to get yourself more comfortable, you will be allowed to wear underwear only during that short period as we are clearly a naturist guest house. (indoor footwear must be worn at all times whilst walking around the public areas).

As a member visiting for the day or evening you will be required to pay a £5.00 entrance fee every time you visit, this is to enable us to keep the establishment running and to provide you with a good quality of premises in which to get naked, chill, socialise and cruise should you wish to and dont forget party! Also this is to allow us to be able to grow and invest in interesting equipment etc for your entertainment and pleasure.

As a member of Welhorny's private members naturist guest house you will be expected to respect the following:

- Ⓢ Other members
- Ⓢ Equipment and facilities
- Ⓢ The property in general
- Ⓢ Neighbours and surrounding businesses when outside smoking or upon entering or leaving the premises (as in keeping the noise down when outside)
- Ⓢ Accept the refusal to be served alcohol or entry if intoxicated
- Ⓢ That no drugs will be consumed on the premises
- Ⓢ That smoking will only be in the designated area

To become a member you are required to be over the age of eighteen and if we are in doubt of this we will kindly be able to ask for a form of I.D. for proof of age.

We look forward to having you as a member.

Signature: Date:

Appendix 4b



Appendix 4b



Appendix 4b



Appendix 4b



Appendix 4b



Appendix 4b



Appendix 4b



Appendix 4b



Appendix 4b





Appendix 4b



Appendix 4b



From: Licensing la2003
Sent: 04 August 2023 08:41
To: Tyrone Wassell
Subject: FW: Evidence to support application part two

From: Paul Richardson
Sent: 03 August 2023 15:42
To: Licensing la2003 <licensing.la2003@blackpool.gov.uk>
Subject: Evidence to support application part two

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Dear Lisa,

Really sorry silly business partner interfered, pressed wrong button and sent before completed.

Carrying on regarding the pictures we have sent you, you will also see for yourselves that we are not aiming to be a nightclub. We are going to be a private members guest house with a small bar area and social space for people to be able to be themselves and enjoy being around other naturists. We have already agreed with the police that no one can just walk in off the street for a beverage unless they have been a member for twenty four hours and people that are booking into the hotel to stay their membership activates as soon as they arrive enabling them to drink on the premises.

We will be operating a door bell entry system so there again no one can just walk in off the street and unless they are a member they will not be given admission. unless they wish to sign the membership and then return after twenty four hours.

Regarding somebodies comment mentioning the social space not being sufficient to allow people to have their own personal space and a safety issue as you can clearly see from the images there is plenty of social space for people to be able to relax and enjoy themselves in a safe environment.

Regarding the owners not knowing what we are doing or intending to do in the premises then that person could not be more misinformed as we have full permission of both persons to operate

our business in the way that we wish as long as we have respect for the property, local residents and other business owners.

We look forward to seeing yourselves on the stated hearing date.

kind regards and best wishes

Mr Paul Richardson & Mr Darren Yeomans.

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From: Licensing la2003
Sent: 04 August 2023 08:41
To: Tyrone Wassell
Subject: Wellhorny's
Attachments: 20230803_143046.jpg; 20230803_143245.jpg;
20230803_143053.jpg;
20230803_143239.jpg; 20230803_143320.jpg; 20230803_143314.jpg;
20230803_143330.jpg;
20230803_143517.jpg; 20230803_143533.jpg; 20230803_143542.jpg;
20230803_143837.jpg;
20230803_143151.jpg

Hi Tyrone

We have received some additional evidence from the applicant (Paul Richardson) for Wellhorny's. I am forwarding the e-mail and attachments to you now. There will also be another e-mail to follow with further information as he said he sent it too early.

Thanks

Judith

Judith Brooks-Brennan

Licensing Officer

Licensing Services
Public Protection Division|Community and Environmental Services |
Blackpool Council | Municipal
Buildings| Corporation Street| Blackpool | FY1 1NA
Post to: Blackpool Council | PO Box 4 | Blackpool | FY1 1NA
T: 01253 478589
W: www.blackpool.gov.uk

From: Paul Richardson
Sent: 03 August 2023 15:21
To: Licensing la2003 <licensing.la2003@blackpool.gov.uk>
Subject: Evidence to support Welhorny's Licensing Application

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Dear Lisa,

Attached are some of the pictures as it said we could send additional evidence to support our case.

Regarding the noise we have sent you two pictures of the sound system which we will be using as you can probably see for yourselves i dont think its capable of being heard outside the building, as we have already mentioned to yourselves yes we want people to be able to have a dance but we also wish them to be able to communicate and socialise without having to shout at each other.

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Appendix 4d

From: Licensing la2003
To: Lisa Ashton
Subject: FW: Objection to Licensing Application "Welhorny's, 33-37 Banks Street Blackpool FY1 2AR"
Date: 03 August 2023 08:06:17
Attachments: Image001.png
Image002.png

From: Iain Ferguson <[REDACTED]>
Sent: 26 July 2023 13:45
To: Licensing la2003 <licensing.la2003@blackpool.gov.uk>
Subject: RE: Objection to Licensing Application 'Welhorny's, 33-37 Banks Street Blackpool FY1 2AR'

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DEAR LICENSING SERVICE.

I wish to formally object to this licensing application.

Name and Address:

Iain Paul FERGUSON,
[REDACTED]

My objections relate to Prevent Crime and Disorder, Public Safety and Prevention of Public Nuisance.

The premises were designed as a guest house. The Bar Area is to the left of the entrance and is ideal for residential guests but not for additional members of the public as a public venue.

Exits would be limited in case of emergency.

Any incidents occurring would be aggravated in such a small space adding to confusion and difficulty for people leaving or even gaining access to deal with it.

Whilst there are other licensed establishments locally, the premises are also surrounded by residential properties and flats.

The property is currently known as The Graydon Hotel. A re-branding is obviously being considered.

I do not consider the renaming appropriate. No matter how grown up we are, in modern times we need to be mindful of others and the particular connotation of this name and in this area,

is not suitable. I am aware that Blackpool Council has been looking at how the resort is seen outside and a resort that needs to cater for all, it also has to be mindful of the imagination and not let innuendo prevail.

I also wonder how the owner of the property feels about this proposed change or if she is aware of it. Knowing how the owner has cared about the property and its lavish furniture, which I am aware has been removed, I cannot see her being happy, but obviously I cannot comment on her behalf.

Noise is my primary concern. Already their has been approval given to other nearby guest houses to open to the public.. Whilst there have been limitations placed on them, these in my opinion have not worked, been adhered to or enforced.

I have almost given up raising this issue. Regularly noise echoes down the street beyond the times they should and people are outside the premises. We do not need another scenario in such close proximity. No matter how the applicants say they will not let this happen, it does.

Public Noise and nuisance is a consequence of granting public licences to small hotel and guest house establishments which were not designed for this purpose.

Parking of cars Inconsiderately is now commonplace. The Traffic Wardens Service have often been called or had to deal with cars parked on pavements, on corners or blocking the footway. Sometimes the cars have been removed before they are able to attend. but nevertheless the danger to pedestrians or inconvenience of having to walk in the road creates an immediate danger. Is there reason to suggest that such congestion will not increase if another public licence is granted.

The provision of food and music to the times stated, intimate addition noise to the locality. Apart from Health and Hygiene issues, the provision of food to resident guests is usually dealt with inhouse, eg for medical reasons perhaps, but the times stated for the provision of food, appear to intimate a wider purpose. What is it ?

Yours faithfully,

Iain FERGUSON.

Ps. I can provide this in a document letter if necessary.

Sent from Mail for Windows

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Lisa Ashton

From: [REDACTED]
Sent: 28 July 2023 17:00
To: Licensing la2003
Subject: Objection, Wellhorny's, 33-37 Banks Street, Blackpool FY1 2AR

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Dear Sirs,

I am the Director and owner of Flamemanor Developments Ltd, and as a company we have made substantial investments in Blackpool, producing award winning developments, and I am really concerned about the negative impact that this application will have on one of our older developments .

I am writing to object against the "application to vary your premises licence" on the following grounds;

Activities applied for;

The playing of recorded music 00:00 to 00:00 Monday to Sunday (technicality, Paul Richardson has not allowed even 1 second of music to be played by wanting music between the hours of 00:00 and the same hour 00:00)

The supply of alcohol 00:00 to 00:00 Monday to Sunday (technicality, Paul Richardson has not allowed even 1 second of serving alcohol between the hours of 00:00 and the same hour 00:00)

Late night refreshment 23:00 to 05:00 Monday to Sunday

Hours of opening to the public 12:00 to 02:00 Monday to Sunday.

Reasons to our objection

The notice was not displayed on the 1st of July 2023 as required, and none of the local residents have been notified of the application for it to be properly considered.

This application is for a night club, to be open 7 days a week, playing loud music and potentially disturbing the local residents during unsociable hours with the loud music and the associated increased noise by customers under the influence of alcohol on the street, but it is set within a residential area, it is not the area for a night club !

This area came under selective licensing not too long ago, and activities of an antisocial nature i.e. loud music and being drunk and disorderly in the street were of a high priority for the council to eliminate. This application is contrary to that policy.

Next door to this building is an award winning residential development and directly across the road are apartments, housing a nice mix of young families, elderly, and people with disabilities. All these people deserve a right to feel safe within their neighbourhood and to enjoy their homes in peace and quiet. I doubt that this will be possible if this application is passed.

Also within the locality are numerous bed and breakfast establishments, and I am sure that the customers of these establishments will also want to enjoy peace and quiet to sleep overnight after enjoying the town's other family daytime activities, and the vibrant nightlife.

Wellhorny's has been described as a "naughty naked night club" which will be open to the public. Blackpool as a seaside resort has to clean up its image and it has been trying very hard to do so over the last decade or so with millions of pounds being invested in the town, and more large investments to follow. The Dickson Road area has had its troubles, and is slowly being turned around with a lot of private investment.

To approve this application will jeopardise the future of this area, potentially drive away residents, B&B customers and future investment.

Yours Faithfully

Sarah Taylor
MD
Flamemanor Developments Ltd

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Appendix 4e

From: [REDACTED]
To: Licensin la2003
Subject: Objection, Wellhorny's, 33-37 Banks Street, Blackpool FY1 2AR
Date: 28 July 2023 16:49:55

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Dear Sirs,

I am writing to object against the "application to vary your premises licence" on the following grounds;

Activities applied for;

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The supply of alcohol 00:00 to 00:00 Monday to Sunday (technicality, Paul Richardson has not allowed even 1 second of serving alcohol between the hours of 00:00 and the same hour 00:00)

Late night refreshment 23:00 to 05:00 Monday to Sunday

Hours of opening to the public 12:00 to 02:00 Monday to Sunday.

Reasons to our objection

This application is for a night club, to be open 7 days a week, playing loud music and potentially disturbing the local residents during unsociable hours with the loud music and the associated increased noise by customers under the influence of alcohol on the street, but it is set within a residential area, and not the area for a night club !

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Yours Faithfully

Steven Taylor
Co Owner, The Church Development, 53 Dickson RD, Blackpool.

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