

Public Document Pack

Blackpool Council

31 October 2023

To: Councillors Bamborough, Hunter and Wilshaw

The above members are requested to attend the:

LICENSING PANEL

Tuesday, 7 November 2023 at 5.30 pm
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 TO REVIEW A PREMISES LICENCE - REVELRY BAR 3 3 BIRLEY STREET BLACKPOOL FY1 1EG. (Pages 1 - 48)

To consider an application to review the Premises Licence for Revelry Bar, 3 Birley Street, Blackpool, FY1 1EG.

- A. Application and representations submitted. To consider the attached report.
- B. Determination of the application to review the Premises Licence for Revelry Bar.

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 Senior 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:	Lisa Ribchester, Licensing Officer
Date of Meeting :	Tuesday 7 November 2023

APPLICATION TO REVIEW A PREMISES LICENCE – Revelry Bar

1.0 Purpose of the report:

- 1.1 To consider an application by Sergeant Nat Cox on behalf of Lancashire Constabulary to review the Premises Licence issued in respect of Revelry Bar, 3 Birley Street, Blackpool, FY1 1EG.

2.0 Recommendation(s):

- 2.1 To determine the review application.

3.0 Reasons for recommendation(s):

- 3.1 This application must be determined by a Panel of the Licensing Committee.

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

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

- 4.1 None, once a review application has been received it must be considered by a 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 Revelry Bar, 3 Birley Street, Blackpool has the benefit of a Premises Licence PL2292 authorising the sale by retail of alcohol for consumption on the premises only 11.00 – 00.00 Sunday to Thursday and 11.00 – 02.00 Friday and Saturday, Live Music Indoors 12.00

– 0.00 Daily, Recorded Music Indoors 08.00 – 0.00 Sunday to Thursday, 08.00 – 02.00 Friday and Saturday and Late Night Refreshment 23.00 – 0.00 Sunday to Thursday and 23.00 – 02.00 Friday and Saturday with additional hours on Bank Holidays, Christmas Eve and New Year’s Eve.

6.2 On 30 August 2023 the Licensing Service received an application from Sergeant Nat Cox on behalf of Lancashire Constabulary to review this licence on the grounds of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm. A copy of the review application is attached at Appendix 4a.

6.3 Representations in support of the review have been received from Environmental Protection, Blackpool Councils Child Protection Licensing Officer and the Licensing Authority.

6.4 The Premises Licence Holder and Designated Premises Supervisor is currently Mr Neil Boulton. On 3rd October 2023 the licence was surrendered by Mr Boulton, as the licence may be reinstated by an application for transfer, the review application remains listed for determination.

6.5 Local policy considerations:

6.2.3 The licensing authority will view particularly seriously applications for the review of any premises licence where it involves the:

- Continuous breaches or contraventions of licence conditions
- Not operating the premises according to the agreed operating schedule
- Where the police are frequently called to attend incidents of disorder

6.2.4 When dealing with premises brought to review, the licensing authority will adopt a yellow card/red card system in appropriate cases. The intention is that problem premises will be identified at an early stage and enforcement agencies will be encouraged to seek reviews when local intelligence suggests that individual premises are selling to children, causing other crime problems or causing noise nuisance.

6.4.3 The licensing authority’s duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence

6.6 National policy considerations

Section 11 reviews is relevant in particular:

11.19 Where the licensing authority considers that action under its statutory powers is appropriate it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;

- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

If a suspension or revocation is being considered 11.23 should be taken into account:

“.....it will always be important that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.”

6.7 Observations:

This premise has been licenced since 26 August 2022. The Licence has always been in the name of Mr Boulton

The licence has the following conditions endorsed upon it in addition to the mandatory conditions:

Annex 2 - Conditions consistent with the Operating Schedule

- 1 At least one personal licence holder will be contactable while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.
- 2 Another member of staff shall be nominated to act for the DPS in their absence whose identity is known by all staff when such absence occurs.
- 3 An authorisation, signed and dated by the Designated Premises Supervisor, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.
- 4 Risk assessments carried out by or on behalf of the licence holder which relate to a licensing objective will be available for inspection by an authorised officer.
- 5 The premises shall have a documented drugs prevention policy on which all members of staff shall be trained
- 6 Security/staff arrangements will be sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas at least every 30minutes.
- 7 Clearly visible notices shall be displayed advising those attending that:
 - a) It is a condition of entry that customers agree to be searched and
 - b) Police will be informed if anyone is found in possession of controlled substances or weapons.
- 8 Records of incidents involving the use, and/or detection of drugs shall be maintained and those records shall be available for inspection. Confiscated and found drugs shall be transferred to the police in accordance with procedures agreed with Lancashire Constabulary.
- 9 No person in possession of a drink in a sealed or unsealed container will be allowed to enter the premises except for the purposes of delivery.
- 10 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.
- 11 All drinking vessels used at the premises will be made of toughened glass or polycarbonate.
- 12 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 13 No entertainment of an adult or sexual nature will take place on the premises.
- 14 A Challenge 25 proof of age policy shall be implemented and adhered to. Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- A recognised proof of age scheme accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS).
- Photo driving licence.
- Passport.
- Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.

If no suitable identification is provided the sale of alcohol to them will be refused. Suitable signage will be displayed to specify the Challenge 25 policy is in place.

- 15 All staff to have received suitable training in relation to the proof of age scheme. Refresher training on underage sales to be provided to all staff every three months. Records to evidence this will be made available to an authorised officer upon request.
- 16 Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.
- 17 CCTV must be installed internally and externally at the premises and must comply with the following:
 - i. Appropriate signage alerting customers to CCTV recording must be displayed in conspicuous positions on the premises.
 - ii. The CCTV system must be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises must be covered by the system. The system will incorporate a camera covering each of the main entrance doors and each camera must be capable of providing an image which is regarded as identification standard in all lighting conditions.
 - iii. The system must record all hours the premises are open to the public.
 - iv. Recordings must display the correct date and time.
 - v. Digital recordings must be held for a minimum period of 21 days. The system must as a minimum record images of the head and shoulders of all persons entering the premises.
 - vi. A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested
 - vii. The licence holder must notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the conditions of this licence.
 - viii. Bi-annually documented maintenance checks by a suitably qualified CCTV engineer must be made of the CCTV system to ensure that the system is in good working order and is operating in compliance with the conditions of this licence.
- 18 All internal lobbied doors to any entrance/exit point, fire exit doors and external windows shall be closed after 22:00 hours except in the event of an emergency and save for the purposes of access and egress.
19. A minimum of one SIA licensed member of door staff will be on duty from 20:00 hours every Friday and Saturday, Sunday before Bank Holiday, Christmas Eve, Boxing Day and New Year's Eve. At all other times the licence holder will

determine an appropriate number of door staff, having regard to a risk assessment maintained by the premises licence holder. The document must be available for Inspection if required.

20. An incident book will be maintained in which shall be recorded:-
 - i. All incidents of crime and disorder
 - ii. Refused sales to suspected under-age and drunken persons
 - iii. A record of any person asked to leave the premises or removed from the premises
 - iv. Details of occasions on which the police are called to the premises
 - v. A record of persons searched on suspicion that drugs are being carried and the reason for such suspicionThe book will be available for inspection by a police officer.
21. Any outside area which is used for the consumption of alcohol shall cease to be so used at 22:00hrs
22. The outside area of the venue will be checked by a competent person at intervals of a minimum of 30 minutes.
23. All tables and chairs in the outside area shall either be fixed to the floor or be stacked, secured and covered no more than 30 minutes after the time at which patrons are no longer permitted to consume drinks in the area.
24. In the outside area, the supply of intoxicating liquor shall be by waiter/waitress service only and only to persons seated at tables.

6.8 Does the information submitted include any exempt information? No

7.0 List of Appendices:

- 7.1 Appendix 4a – Review application from Lancashire Constabulary
- Appendix 4b – Child Protection Licensing Officer representation
- Appendix 4c – Licensing Authority representation
- Appendix 4d – Licencing Authority Officer Statement
- Appendix 4e – Licensing Authority Photo 1
- Appendix 4f – Licensing Authority Photo 2
- Appendix 4g – Email from Environmental Protection
- Appendix 4h – Representation from Environmental Protection

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 and the impact of this decision for our children and young people:

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.

This page is intentionally left blank

LICENSING SERVICE Appendix 4a

<i>For Office use only</i>	
LalPac Application No.	
Licence Number	

**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
UNDER THE LICENSING ACT 2003**

Applicant Name:	Sgt 3390 Nat Cox
------------------------	------------------

Blackpool will be a Vibrant, Inclusive,
Healthy, Safe and Prosperous Town



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. You may wish to keep a copy of the completed form for your records.

I	Nat Cox
----------	---------

[insert name of applicant]

apply for the review of a premises licence under section 51 or apply for the review of a club premises certificate under section 87, of the Licensing Act 2003 for the premises described in part 1 below.

Part 1 – Premises Details

Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.									
Premises Name and Address	Revelry Bar								
	3 Birley Street								
	Blackpool	Post Code	F	Y	1	1	E	G	
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Neil Boulton									
Premises Licence or Club Premises Certificate Reference Number (if known)								PL2292	

Part 2 – Applicant details

I am:

	Please tick
1) an interested party (please also complete sections 2A and 2B below)	<input type="checkbox"/>
a) a person living in the vicinity of the premises	<input type="checkbox"/>
b) a body representing persons living in the vicinity of the premises	<input type="checkbox"/>
c) a person involved in business in the vicinity of the premises	<input type="checkbox"/>
d) a body representing persons involved in business in the vicinity of the premises	<input type="checkbox"/>
2) a responsible authority (please also complete 2C below)	<input checked="" type="checkbox"/>
3) a member of a club to which this application relates (also complete section 2A below)	<input type="checkbox"/>

(2A) Individual Applicants (fill in as applicable)

Title:	Mr	Mrs	Miss	Ms	Other	I am 18 years old or over	Please tick				
							Yes	No			
Forenames					Surname						
Home address											
					Post Code						
Telephone Number					Mobile Number						
E-Mail Address											

(2B) Other Applicant or Representing Body

Name											
Address											
					Post Code						
Telephone Number											
E-Mail Address											

(2C) Responsible Authority applicant

Name	Nat Cox										
Address	Licensing Department,										
	Bispham Police Station, Red Bank Road										
	Blackpool				Post Code	F	Y	2		0	H
Telephone Number	01253 604074										
E-Mail Address	nat.cox@lancashire.police.uk										

Part 3 – Reason for Review

This application to review relates to the following licensing objective(s):

Please tick

1) the prevention of crime and disorder	X
2) public safety	
3) the prevention of public nuisance	X
4) the protection of children from harm	X

Please state the ground(s) for review (please read guidance note 1)

The application is brought on behalf of the Chief Constable of Lancashire Constabulary.

Revelry Bar was only granted a licence in October 2022. It first came to the attention of Police in April 2023, when an incident inside the bar led to the eventual arrest of the premise licence holder, Neil Boulton. This incident and others will be detailed below.

Despite numerous warnings, the licensee is obstructive whenever authorities inspect his premise. The Police have grave concerns over his ability to uphold the licensing objectives, specifically those outlined below, and request that the committee consider revocation of the premises licence.

Prevention of crime and disorder

The licensee appears to be obstructive to Police officers when they come to conduct routine licensing checks. On several occasions, he has attempted to prevent officers from entering the premises, despite them being in full uniform and it being obvious that they are Police officers.

He has also followed officers' round, as they conduct licensing visits, filming them on his mobile phone. His demeanour during visits has led to his customers behaving in an anti-social manner towards the Police during their visits.

The licensee was also arrested in April this year following an incident at the bar. Despite several requests, he was unable to provide CCTV of the incident, thus breaching the conditions of his licence.

Lancashire Constabulary have no confidence in the licence holder's ability to prevent crime and disorder when he appears to be the catalyst for obstruction and poor behaviour towards Police officers.

Prevention of public nuisance

On several occasions when Police have attended the bar at night, they have been able to hear the music from some considerable distance away. The licensee has been given several warnings about the volume of his music and the fact that he keeps his doors open at nighttime. He has also been warned about allowing customers to drink outside after 2200 hours and failing to remove his outside furniture, again being a breach of his licence.

Protection of children from harm

During a recent visit by Police, a 5-year-old female was located inside the premises at around midnight. The father of the female was located inside the premises and was drunk. He was subsequently arrested for being drunk in charge of a child. The licensee was present during the

arrest and is described as obstructive towards the Police officers. Loud music was being played inside the bar at the time of the incident.

Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 2)

On 22nd April 2023 the licence holder, called Police to report a woman in his kitchen screaming and refusing to leave. PCSO's and local BID wardens attended, but were confronted by the licensee, who was drunk and aggressive towards them. Once the female had been taken by ambulance to hospital, the PCSO's and wardens withdrew from the premises. A PC later attended to speak to the licensee, who was still intoxicated and was arrested, initially for a public order offence.

He was released from custody when sober, having been issued with a fixed penalty notice for drunk and disorderly behaviour.

The incident was followed up by licensing officers but, despite several requests, the CCTV was not provided.

On 31st May 2023 PC Pritchard from the Police licensing team and Lee Petrak, Blackpool Council Licensing Manager met with the licence holder at Revelry Bar. Several breaches of licence conditions were identified, and the licence holder was sent a warning letter by PC Pritchard.

On 25th June 2023 PC Harrison from the Police licensing team was contacted by Environmental Protection officer Nicky Todd asking him to attend Revelry Bar. She had found the licence holder to be obstructive and aggressive at an earlier visit to the premises in relation to a noise complaint. PC Harrison attended Revelry Bar and warned the licence holder about his conduct. The licence holder appeared to be under the influence of drugs at this time.

On 10th July 2023 a further meeting was held at the Blackpool Council offices with the licence holder, PC Harrison, Lee Petrak and Nicky Todd. During this meeting, the licence holder was warned once more about his attitude towards authorities, complying with his licence conditions and the levels of noise coming from his premises.

On 21st July 2023 Police officers on nightsafe in Blackpool town centre visit Revelry Bar as part of a routine licensing check. They are met by the licence holder, who is obstructive and refuses them entry. He demands to see their warrant before officers walk past him and check the premises.

On 18th August 2023 Police officers on nightsafe attempt to check the premises once more. The licence holder again tries to prevent them from entering the bar, before walking round filming them on a mobile phone as they conduct their visit. As a result of his behaviour, customers started shouting "Get out!" at Police officers as they walked round the venue. The licence holder himself then starts shouting "Get out of my bar!" as officers complete their checks.

On 19th August 2023 Nicky Todd attended the premises in company with a Police officer following complaints relating to noise.

On 27th August 2023 Police officers on nightsafe conduct a check at the premises just before midnight and witness loud music coming from the premises, audible down the street.

Once inside the premises they locate a 5-year-old girl within. The father of the child was drinking inside the premises and was arrested for being drunk in charge of a child. The licence holder was also present and was obstructive towards officers, again filming them and attempting to interfere in the arrest.

There were no SIA registered door staff on duty at the time of the visit, again putting the licence holder in breach of his licence.

Part 4 – Other relevant information

Have you made an application for review relating to this premises before?	Please tick	
	Yes	No
		X
	Day	Month
Year		
If yes, please state the date of that application		

If you have made representations before relating to this premises, please state what they were and when you made them.


Please tick

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.	X
I understand that if I do not comply with the above requirements my application will be rejected	X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 4) If signing on the behalf of the applicant please state in what capacity.

Signature:	Capacity:	Date:		
	Licensing Sergeant	Day	Month	Year
		30	08	2023

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 5)

Title:	Mr	Mrs	Miss	Ms	Other								
Forenames					Surname								
Address for Correspondence associated with this application													
						Post Code							
Telephone Number					Mobile Number								
E-Mail Address													

Notes for Guidance

1. The grounds for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems that are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
5. This is the address that we shall use to correspond with you about this application.

This page is intentionally left blank

Appendix 4b

<p>Blackpool Council Licensing Service</p> <p>Representation made by a Responsible Authority in support of an application for the Review of a Premises Licence</p>				
Responsible Authority making representation				
Name of Responsible Authority		Blackpool Child Protection Licensing Officer		
Name of Officer <i>(please print)</i>		Louise Scales		
Signature of Officer		<i>L.M. Scales.</i>		
Contact telephone number		07718215166		
Date representation made		04	09	2023
Do you consider mediation to be appropriate				NO
Name of Responsible Authority / Applicant who requested a review of this Licence				
Mark Marshall on behalf of the Licensing Authority				
Premises Details				
Premises Name		Revelry Bar		
Address		3 Birley Street		
		Blackpool		
Post Code		FY1 1EG		
Details of your representation in support of the review application (Please reference & attach supporting any documentation)				
<p>My role as Child Protection Licensing Officer focusses on managing the various risks that makes both children and adults unsafe.</p> <p>On reading the evidence supplied in the application to review this licence provided by the Police, it is clear that the premises is not being operated in accordance with the licensing objectives.</p> <p>On 22nd April 2023 the Proprietor/Designated Premises Supervisor Neil Gary Boulton was arrested at the venue for being drunk and disorderly.</p> <p>On 27th August 2023 where Police have attended at around midnight and found a 5 year old girl accompanied by her Father. He was arrested for being drunk in charge of a child.</p> <p>The Police outline a catalogue of incidents where the Proprietor has been obstructive to Officers attending the premises.</p>				

Appendix 4b


I believe that the management of the premises have failed to support the licensing objective of Preventing Crime and Disorder, the Prevention of Public Nuisance and Protecting Children from Harm.

I fully support the Police in their application to review this licence.

Appendix 4c

Blackpool Council Licensing Service

Representation made by a Responsible Authority in support of an application for the Review of a Premises Licence

Responsible Authority making representation				
Name of Responsible Authority	Licensing Authority			
Name of Officer <i>(please print)</i>	Lee Petrak			
Signature of Officer				
Contact telephone number	07468 472898			
Date representation made	26	09	2023	
Do you consider mediation to be appropriate			YES	NO
Name of Responsible Authority / Applicant who requested a review of this Licence				
Police				
Premises Details				
Premises Name	Revelry Bar			
Address	3 Birley Street			
	Blackpool			
Post Code	FY1 1EG			
Details of your representation in support of the review application (Please reference & attach supporting any documentation)				
<p>I make these representations in support of the review submitted by Lancashire Constabulary in connection with premises known as Revelry Bar located on Birley Street in Blackpool Town Centre. The premises benefits from a Premises Licence issued on the 26th August 2022, which authorises the playing of recorded and live music indoors, late night refreshments and the sale of alcohol by retail on premises. The current designated premises supervisor (DPS) is Neil Gary Boulton who has been so since the 4th November 2022.</p> <p>I first became aware of any problems at these premises on the 9th May 2023 when I received information from the Police regarding an incident in the premises that occurred on the 22nd April 2023, which resulted in the DPS being arrested. Having discussed the incident with Police Licensing colleagues, it was agreed that we would conduct a prearranged joint visit to the premises on the 30th May 2023. Consequently, the Police issued a warning letter dated 31st May 2023 to the DPS following a series of Licensing breaches having been identified during the meeting on the 30th May 2023.</p> <p>Further issues were identified to me by the Environmental Protection Team concerning noise nuisance issues as well as an altercation that was taking place outside the premises. On the 26th June 2023 at 1.54am an email was sent to me by Nicky Todd, Environmental Protection Manager, referring to a visit she carried out at revelry bar hours earlier. Notwithstanding the problems Nicky described in respect of nuisance</p>				

and disorder, she also describes the manager she spoke to as “under the Influence”, “very argumentative” and “very aggressive”. Furthermore, she also described that he began filming her as she attempted to conduct a lawful visit to the premises.

Following those concerns a meeting with the Licence holder and DPS was arranged at Council Offices on the 10th July 2023 at 11am. Present were Pc Harrison, Nicky Todd, Neil Boulton, Neil’s son and myself. The meeting had been convened to discuss recent problems experienced by officers in attending premises as well as the noise related issues. Clarification was also given to Neil in respect of the use of his Street Café Licence as he had continually allowed his furniture to remain outdoors until well after the cut off time for bringing it in. A critical part of the meeting was to find a resolution to the continued noise problems at the premises. Nicky put some conditions to Neil that it was felt would assist in promoting the preventing nuisance licence objective. I explained to Neil that if he was agreeable the conditions could be imposed through the minor variation process. At this point Neil’s son became obstructive to the process and expressed an extremely poor and disrespectful attitude towards everyone else involved. Neil appeared to accept the nature of the conditions being requested but felt he shouldn’t have to pay an application fee for variation and therefore refused to do so. It was explained to Neil that review may be the only option at that stage given his refusal to cooperate. Neil contacted me by phone later that day to advise that he had no intention of applying for minor variation.

Following the meeting on the 10th July 2023 and up to the date of submission of the review proceedings on 31st August 2023, I was aware that incidents were becoming more frequent at Revelry Bar as a result of nightsafe visits and out of hours noise visits.

Following receipt of the review papers submitted by the Police, the Licensing Authority affixed the statutory blue notice to the external parts of the premises on the 1st September 2023.

On the 8th September 2023 at approximately 12.30pm I was walking along Birley Street returning to the office following a meeting at Bickerstaffe House when I was approached by the DPS who was preparing his outdoor seating area. He wished to briefly discuss the review proceedings and how he viewed they would no longer be necessary as he intended to sell the business to a friend. He seemed to believe that the review related to him and not the premises, which I corrected him over. I advised that the review would proceed in any event and that if I were his friend I wouldn’t purchase the business until the outcome of the review was known. He seemed disappointed by this and ended the conversation. This was the last time I had any direct involvement with the DPS.

On the 11th September 2023 it was brought to my attention that the blue notice may have been removed from the premises, therefore I asked a member of my team to conduct a visit at his earliest opportunity. On the 12th September 2023 Dave Verity, Licensing Enforcement Officer, visited the premises and was able ascertain that the blue notice had indeed been removed.

I have read the review documents submitted by the Police and the supporting representations made by the Environmental Protection Manager. I have also had the benefit of viewing body worn video footage of some of the incidents referred to by the Police, in particular that footage referenced by the Police that relates to incidents that took place on the 22nd April 2023 and the 27th August 2023. This coupled with the representations I make above, leaves me in no doubt that the standard of management of these licensed premises has fallen well below the standard expected, which in turn has adversely impacted the licensing objectives. It is my view that this is a case where revocation of the licence should be considered.

Documents accompanying these representations:

- Email from Nicky Todd dated 25 June 2023 @ 01.54
- Statement of Dave Verity dated 25 September 2023

Witness Statement

Appendix 4d

(Criminal Procedure Rules 2005, r27.1 (1); Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s5A (3) (a) and s.5B)

Statement of David Verity


Age: if under 18. Over 18.

Occupation: Public Protection Officer

This statement (consisting of TWO page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 25th day of September 2023

Tick if witness evidence is visually recorded
(Supply witness details on rear)

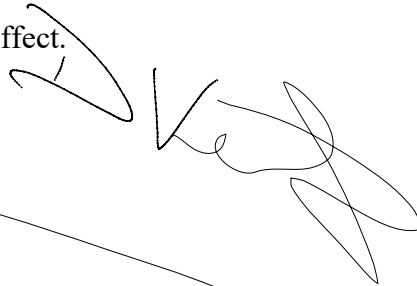
Signature 

I am David Verity & I am currently employed as a Public Protection Officer within the Public Protection Division of Blackpool Council. As such I am duly authorised to enforce legislation in relation to the Licensing Act 2003. The revelry bar situated at number 3 Birley Street, Blackpool. Benefits from a premises licence PL2292 issued by Blackpool Council. This licence allows the licensable activities for the supply of alcohol, performance of live music, playing of recorded music and provision of late night refreshment from the premises. On Friday 1st September 2023 I was made aware that the premises was to be placed under review and was requested to attend the Revelry Bar and place notices to be prominently displayed at the premises for the attention of members of the public as required under the Licensing Act 2003. These notices are to advise members of the public that the premises licence was to be put on review. At approximately 11.58 hrs I attended the Revelry Bar to place the notices inside on the front windows however the premises was closed and the notices were required to be displayed immediately. I then attached two notices externally with parcel tape to the front windows of the premises and took photos of the notices in place. The photos were then emailed to the licensing admin team to be kept on file. I present and exhibit for evidence these photos as exhibits REV01A. REV01B


On Monday 11th of September I received a phone call from my line manager Mr Lee Petrak advising me that the site notices at the revelry bar had been removed and asked to take photos as

Signature 

evidence of the signs having been removed I was not in a position to do this immediately. On Tuesday 12th September 2023 at approximately 07.50hrs I attended the revelry bar and took photos of the front of the premises showing the signs had been removed. I present and exhibit for evidence these photos as exhibits REV/02A. REV02B I then sent these photos to the admin team to be kept on file. I later made a statement to that effect.



Signature

A handwritten signature in black ink, appearing to read 'D. Verity', located in the upper left quadrant of the page.

Signature

Page 24^{witnessed by}

Signature

Page 25 witnessed by

This page is intentionally left blank

EXHIBIT
REV/01A

Appendix 4e



EXHIBIT
REV/01B

...can the rewards, your keyring must be shown]

LICENSING ACT 2003 - PUBLIC NOTICE

Blackpool Council has received an application on the 30 August 2023 from Lancashire Constabulary requesting a review of the following premises licence:

Revelry Bar
3 Bixley Street, Blackpool FY1 1EG

The grounds for review are that despite numerous warnings, the licensee is disruptive, however, authorities conclude to uphold the licence have given concerns over premises that the licensee are not adequately prevented of Crime & Disorder. The Protection of Public Safety, The Protection of Children from Harm.

A copy of the application can be viewed by appointment at the Licensing Service, Office between 10:00am and any person wishing to make the application may do so by sending to:

Blackpool Council Licensing Service
At: Lancashire Constabulary, PO Box 4, Blackpool FY1 1QA
Phone: 01752 670272
Email: licensing@blackpool.gov.uk
01752 670272

Representations may be made until 27th September 2023

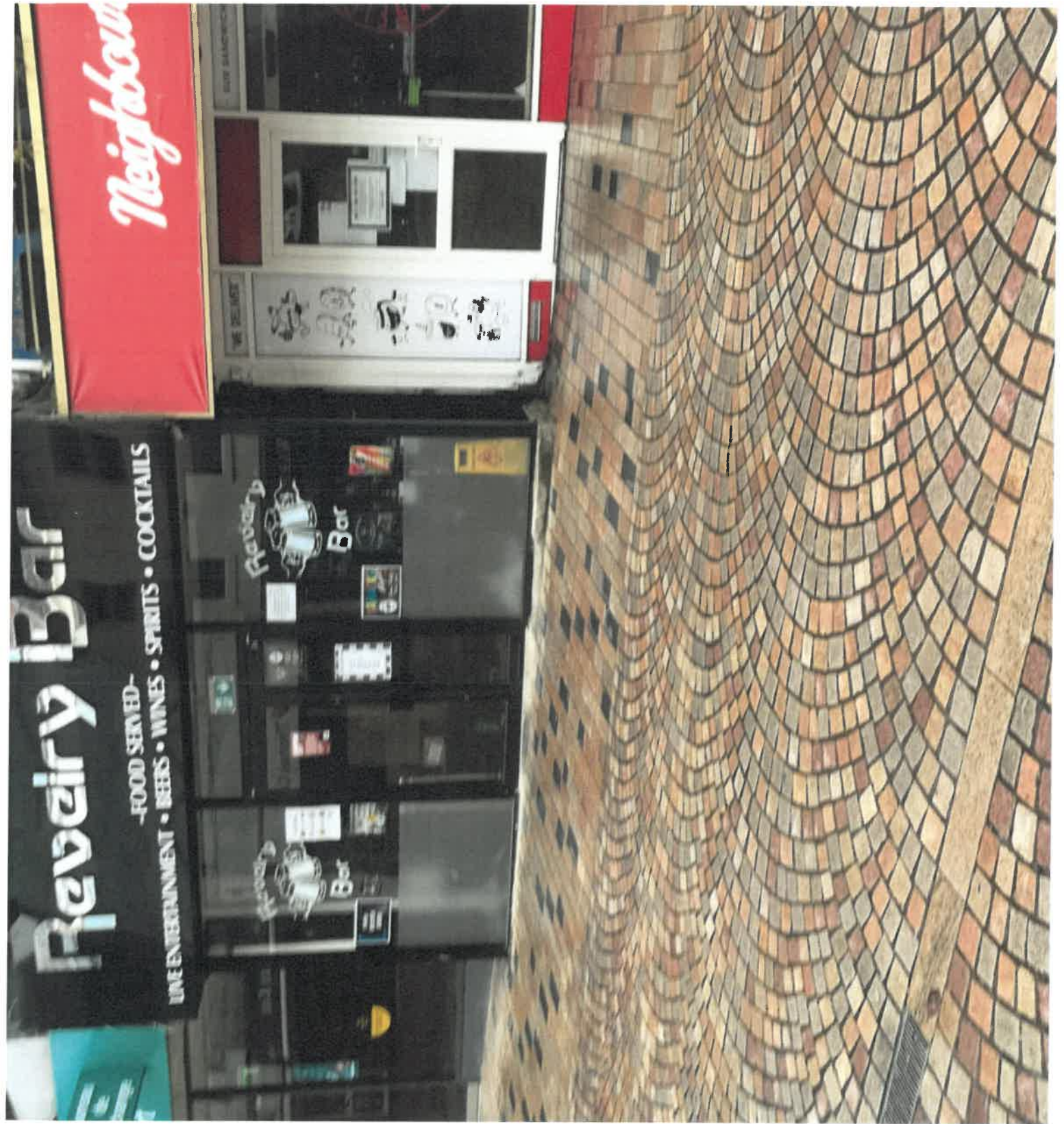
It is an offence under section 146 of the Licensing Act 2003 to make a false statement in connection with an application.

Appendix 4f



EXHIBIT
REV/02 A

EXHIBIT
REV/02B



Appendix 4g

Lee Petrak

From: Nicky Todd
Sent: 25 June 2023 01:54
To: Lee Petrak; [REDACTED]
Subject: Reverly Bar

Hey,

I was called to Reverly Bar on Birley Street this evening – the noise from the premises was very loud and their appeared to be an altercation happening outside of the premises.

I spoke to the manager who appeared to be under the influence and he was very argumentative stating that he had a license therefore there was nothing that I was able to do. I explained that we were there due to a complaint that had been made, he then argued there were no residential premises therefore not a problem.

He became very aggressive, started filming me and not listening to the advice that was being given to him in relation to noise.

In addition their appeared to be an altercation when we arrived that PC Davy was then trying to find out what had happened as apparently chairs had been thrown and people were squaring up. The manger then started trying to move PC Davy out of the way and to set the customer down on a seat, then told PC Davy to leave.

I then called PC Harrison as I knew he was on duty this weekend, he was in Fleetwood at the time and said he would call by their next. We then bumped into PC Harrison when he was leaving Reverly with other officers, he spoke to the manager who was intoxicated and said that there was no reasoning with him but he was not happy with what he saw.

There are no conditions in relation to noise mitigation on the licence, I will be putting forward an application for review based on what I witnessed this evening, along with [REDACTED] a few weeks ago. I have asked the complainant [REDACTED] to complete diary sheets and return them in and to continue calling the out of noise service.

Regards
Nicky Todd
Acting Environmental Protection Manager
Tel – 01253 478318
Mobile – 07788353486

Public Protection Division | Community and Environmental Services Department | Blackpool Council | PO BOX 4
| Blackpool | FY1 1NA

This page is intentionally left blank

Blackpool Council

**APPLYING FOR A REVIEW OF A PREMISES LICENCE OR CLUB PREMISES
CERTIFICATE UNDER THE LICENSING ACT 2003**



Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

T: (01253) 47 8572 / 8589
F: (01253) 47 8372

www.blackpool.gov.uk

Guidance for Interested parties: Applying for a Review of a premises licence or club premises certificate, under the Licensing Act 2003.

General Information about licence reviews.

Application may be made to review a licence or certificate that is in force.

The licensing authority may reject the application for review if it is satisfied that the grounds for review are not relevant to one or more of the licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm

The licensing authority can reject any ground for review if it considers it to be “frivolous”, “vexatious” or a “repetition”.

What does “frivolous” and “vexatious” mean?

“Frivolous” or “vexatious” will bear their ordinary meaning. Whether representations are frivolous or vexatious will be for the licensing authority to determine. For example, the licensing authority might find the representations were vexatious if they arise because of disputes between rival businesses or frivolous if they clearly lacked seriousness.

What does “repetitious” mean?

A “repetitious” representation is one that is identical or substantially similar to:

- A ground for review in an earlier application, which has already been determined (the licensing authority’s “register of licences” will include all applications for reviews made in the past)
- Representations considered by the licensing authority when the premises licence was first granted
- Representations made when the application for the premises licence was first made and were excluded because of the prior issue of a provisional statement
- In addition to the above grounds, a reasonable interval has not elapsed since any earlier review or the grant of the licence

The review process is not intended to be used simply as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a “reasonable interval” in these circumstances. However, the Secretary of State (in the Guidance to Licensing Authorities) suggests that more than one review from an interested party should not be permitted within a period of twelve months on similar grounds, save in compelling circumstances (e.g. where new problems have arisen) or where it arises following a closure order.

Applications for review cannot be made anonymously.

This is because, for example, the licensing authority needs to be satisfied that the person who wants the review is not being vexatious. Similarly, it is important that the licence holder is also able to respond to an application for a review. If applicants are concerned about possible intimidation, they could consider asking the police, or another appropriate responsible authority to apply for a review on their behalf.

Before applying for a review, applicants may want to consider whether their concern(s) could be effectively dealt with outside of the formal review process. This could involve, for example:

- Talking to the licence or certificate holder to determine whether there are any steps they may be willing to take to rectify the situation
- Asking the licensing department to talk to the licensee on your behalf
- Ask your local MP or Councillor to speak to the licence or certificate holder on your behalf
- Talking to the relevant “responsible authority” (e.g. Environmental Health in relation to noise nuisance, or the Police in relation to crime and disorder) to determine whether there is other legislation that could help resolve the issue

Things you may want to consider when seeking a review:

- It may be helpful to get the backing of other people living, or businesses operating in the vicinity of the premises, or other “responsible authorities”.
- Look at the licensing authority’s official records about the premises, kept in their ‘licensing register’. This will show you if other people have made representations, or asked for a review of a premises in the past
- If you are thinking of raising a petition, it is important that the following information is included for each signatory: telephone number, signature, printed name and address. The grounds on which they are asking for a review collectively is essential and a spokesperson for the group should be identified. The person submitting the petition will be asked by the Council to arrange representation for those named on the petition and to act as a liaison point for correspondence and negotiations.
- If you want to ask another person such as an MP or local Councillor to represent you at the review, it is advisable to make such a request in writing so that the individual can demonstrate he or she was asked. It will be a matter for the MP or Councillor to decide whether they should agree to your request. They are not obliged to do so, however, most elected representatives are happy to help residents with this sort of issue, and there is no requirement for them to live in the vicinity of the premises in question for them to be able to make representations on behalf of residents that do. It should be noted that Councillors who are part of the licensing committee hearing the application will not be able to discuss the application with you outside the formal hearing, so it is suggested that you do not approach them to try to.
- For individual incidents, try to get as much documented information as possible about any official response (e.g. – police being called out)
- You may also be able to back up your application with data such as crime statistics. However, it should be noted that conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and his staff or agents, but can directly impact on the behaviour of those under the

licensee's direction when on his premises or in the immediate vicinity of the premises as they seek to enter or leave.

- If there is general noise nuisance on streets because of licensed premises, you will probably need to show how it relates to the specific premises.
- It is important to be able to back up your claims. You could do this by keeping a diary over a period of time, for example. Sound or video recordings may also be helpful. It may also be a while before any hearing, so it is good to keep a clear record.
- Residents or businesses applying for a review following a single particular incident should be cautious, as a licensee may argue that this was a one off problem that can be rectified without a review.
- Have a good idea how you'd like the situation to be resolved.

Applying for a Review

An application for the review of a premises licence or club premises certificate must be given in writing and be on a prescribed application form, which is attached to this document.

Licensing Service
Blackpool Council
Municipal Buildings
PO Box 4
Blackpool
FY1 1NA

Telephone: 01253 478572 Fax: 01253 478372

Email: licensing.la2003@blackpool.gov.uk

Web Site: www.blackpool.gov.uk/business

Filling in the form

In the opening statement you should give the name of the person applying for the review – e.g. 'John Smith'. You should also indicate whether you are applying for the review of a "premises licence" or "club premises certificate" by deleting, as applicable.

You must provide your name, address and daytime telephone number.

PART 1 – Premises or club premises details

This section asks for the address and some other details of the premises concerned in the review. If the premises has no postal address you should describe the location of the premises or give the ordnance survey map reference.

You are also asked to give the name and number of the premises licence holder or club. This information should be available on the "Summary" of the licence or certificate, which will be displayed at the premises, concerned in the review, or may be available on request from the licensing department at your local authority.

PART 2 – Applicant details

This section requests you to indicate in what capacity you are applying for a review. As an “interested party” you must be able to tick at least one of the boxes under (1), then complete section (A) – Details of individual applicant, and if applicable, section (B) – Details of other applicant (e.g. – another resident).

PART 3 – Reason for review

An application for a review of a licence or certificate must be about the effect the licence is having on at least one of the four licensing objectives (see above). You should indicate which licensing objective(s) the application relates to.

You should state the ground(s) for review, and provide as much information as possible to support the application. You may use extra sheets of paper if necessary. Details may include, for example, dates that problems occurred and how the problem affected you.

PART 4 – Other relevant information

You should state whether you have made an application for a review relating to this premises before, and give the further details of any representations you have made previously relating to this premises. This information will be used to determine whether the application for a review is “repetitious” (see above).

Checklist and declaration

The person or body requesting the review must notify the holder of the premises licence or club premises certificate and each “responsible authority” of their request, by sending them a copy of the application, together with any accompanying documents, on the same day as the application is given to the licensing authority. Responsible authorities can then, if they wish, join or back up your application for review, or use the opportunity to make their own application for a review on different grounds. The licensing authority also has to advertise the review to enable other “interested parties” to join it.

The responsible authorities are:

- The Lancashire Constabulary Licensing Department
- The Lancashire Fire and Rescue Service
- Blackpool Council Health and Safety Department
- Blackpool Council Planning Department
- Blackpool Council Environmental Protection
- Blackpool Council Social Services Child Protection Licensing Officer.
- Blackpool Council Weights and Measures (Trading Standards Office)
- Public Health

Signatures

The application form must be signed. An applicant's agent (for example a solicitor) may sign the form on their behalf, provided they have authority to do so. Where there is more than one applicant, both applicants, or their respective agents, must sign the form.

What happens after a request for a review has been made?

The licensing authority must advertise requests for a review of a licence or certificate. They will do this by displaying a notice at the premises that is subject to review, and at the licensing authority offices, for 28 consecutive days starting the day after the day on which the application is given to them. Other interested parties and responsible authorities then have this period of 28 consecutive days starting the day after the day on which the application was given to make representations about the review. If the request for a review is not rejected then the licensing authority must hold a hearing to determine the application, unless all parties agree that this is unnecessary. For example, the licensing authority may offer to try to resolve matters via a negotiated agreement prior to a formal hearing. You will need to decide if this is appropriate for you but you can, of course, insist upon the hearing.

The licensing authority will write to you with the date and time of the hearing and will inform you of the procedure to be followed at the hearing.

As the person or body requesting the review, you are required to give notice to the licensing authority at least 5 working days before the start of the hearing, stating:

- Whether you will attend the hearing in person
- Whether you will be represented by someone else (e.g. councillor / MP / lawyer)
- Whether you think that a hearing is unnecessary (if, for example they have come to an agreement before the formal hearing)
- Any request for another person to attend the hearing, including how they may be able to assist the authority in relation to the application

You must let the licensing authority know as soon as possible (by written notice no later than 24 hours before the start of a hearing, or orally at the hearing) if you want to withdraw your application.

Hearings

Hearings will generally be held in public, unless the licensing authority decides it is in the public interest to hold all, or part of the hearing in private. The licensing authority shall ensure that a record is taken of the hearing.

Hearings will normally take the form of a discussion and will be led by the licensing authority, which will consist of three local authority elected councillors (this will be the licensing sub-committee drawn from a full licensing committee of 15 councillors). The licensing authority will explain the procedure to be followed. It will determine any request for additional persons to appear at the hearing. It will consider evidence produced in support before the hearing and can consider evidence produced by a party at the hearing, but only if all parties agree. Further evidence can also be produced if this was sought for clarification of an issue by the authority before the hearing. Cross-examination of another party during a hearing is not allowed, unless the licensing authority thinks it necessary. The parties are entitled to address the authority and will be allowed equal time to address the authority and, if they have been given permission by the authority to do so, they will be given equal time to ask any questions of any other party. The authority will disregard any information it considers to be irrelevant.

It is important that you consider what you are going to say at the hearing, as the licence or certificate holder and the committee will have seen your application for review, and may get the chance to question what you are saying.

NB - A hearing can still go ahead in the absence of any party (e.g. - applicant or interested party)

What happens after a hearing?

If no decision is made at the hearing, the committee has a maximum of 5 days from the day or the last day of the hearing to come to a decision. Following a review, a licensing authority may:

- Decide that no action is appropriate to promote the licensing objectives
- Modify or add conditions to the licence
- Exclude a licensable activity from the licence
- Remove the designated premises supervisor
- Suspend the licence for a period (not exceeding 3 months)
- Revoke the licence

If you have any queries about applying for the review of a licence, contact the Licensing Service:

Licensing Service
Blackpool Council
Municipal Buildings
PO Box 4
Blackpool
FY1 1NA

Telephone: 01253 478572 Fax: 01253 478372

Email: licensing.la2003@blackpool.gov.uk

Web Site: www.blackpool.gov.uk/business

Blackpool Council

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

LICENSING ACT 2003

***Review
requested by:***

Nicky Todd

Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

T: (01253) 47 8572 / 8589
F: (01253) 47 8372

www.blackpool.gov.uk



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. You may wish to keep a copy of the completed form for your records.

I	Nicky Todd, Environmental Protection Officer
----------	--

[insert name of person requesting review]

apply for the review of a premises licence under section 51 or apply for the review of a club premises certificate under section 87, of the Licensing Act 2003 for the premises described in part 1 below.

Part 1 – Premises Details

Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.									
Premises Name and Address	Revelry Bar								
	3 Birley Street								
	Blackpool	Post Code	F	Y	1	1	E	G	
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Premises Licence or Club Premises Certificate Reference Number (if known)								PL2292	

Part 2 – Applicant details

I am:

1) an individual, body or business which is not a responsible authority	Please tick
2) a responsible authority (please also complete 2C below)	X
3) a member of a club to which this application relates (also complete section 2A below)	

(2A) Individual Applicants (fill in as applicable)

Title:	Mr	Mrs	Miss	Ms	Other	I am 18 years old or over	Please tick							
							Yes	No						
Forenames						Surname								
Home address														
						Post Code								
Telephone Number						Mobile Number								
E-Mail Address														

(2B) Other Applicant or Representing Body

Name														
Address														
						Post Code								
Telephone No.														
Email Address														

(2C) Responsible Authority applicant

Name	Nicky Todd													
Address	Environmental Protection													
	Bickerstaffe House, 1 Bickerstaffe Square													
						Post Code	F	Y	1			3	A	H
Telephone Number	01253-478318													
Email Address	Nicky.todd@blackpool.gov.uk													

Part 3 – Reason for Review

This application to review relates to the following licensing objective(s):

	Please tick
1) the prevention of crime and disorder	
2) public safety	
3) the prevention of public nuisance	X
4) the protection of children from harm	

Please state the ground(s) for review (please read guidance note 2 before completing)

Introduction

On 12th June 2023 whilst working the Council out of hours noise service, Jon Yates in the accompaniment of PC Cooper witnessed music at an excessive volume emanating from the premises known as Revelry Bar, on approaching the venue at 11.45pm, it was observed that the doors were open. Jon and PC Cooper spoke to the doorman of the premises and requested that the doors be closed and the volume of music to be reduced which they complied with.

On 23rd June 2023 a complaint of noise was received from a member of the public, the complaint stated that there was excessively loud music coming from the venue and drunk people being outside the premises shouting. Diary sheets were sent out to the complainant.

On 25th June 2023 whilst working the Out of Hours noise service with PC Davey, we were called to Revelry bar due to a complaint of loud music from the venue. We arrived at 12.10am, on approaching Birley Steet from Market Street, Music could be clearly heard from the premises, the front doors to the venue were open. I approached the doorman and asked if the manager was present, he said he would get him. Whilst the doorman was finding the manager, their appeared to be a dispute happening and one party approached PC Davey. PC Davey was trying to establish what was happening when the owner Neil Bolton appeared, Neil Bolton tried to intervene in the matter with PC Davey and asked PC Davey to leave, PC Davey informed him that he was with myself and that he was trying to speak to the people who had approached him. I had his licensing conditions on my phone, unfortunately I had the previous license and not the current one. Neil provided me with a copy of his current license which was behind the bar on the wall, it was observed that there were no conditions in relation to noise nuisance.

Myself, PC Davy and Neil Bolton went into the kitchen area of the premises to discuss the noise complaints and volume of music in the premises, as unable to hear each other within the bar area. Neil became very argumentative and continued to say I had his license incorrect; I informed I had but he showing me the current one had rectified this, and asking me why I was at his premises. It was explained to Neil that we were at his premises due to the complaints of noise that had been received, he said he was a business in a business area so he could do what he

wanted. He was informed this was not the case and that he had a duty to ensure that his premises was not causing a nuisance, and that a complaint had been received of loud music from the venue. Neil became more argumentative and aggressive during our time in the premises, myself and PC Davey vacated.

When we vacated the premises I called PC Harrison from the Licensing Division, explaining how we had attended and had been met with aggression from the owner of the premises. He said that he would also pay a visit to the premises.

Neil Bolton was invited to a meeting with Nicky Todd, Lee Petrak and PC Harrison to discuss the concerns that had been raised over excessive music, lack of CCTV and the management of the premises. On 10th July 2023, Neil Bolton attended the council officers in Municipal Buildings with his son John Bolton. The following matters were discussed:

- CCTV being in place and covering all areas of the bar, as per the request by PC Pritchard in April 2023.
- Staff training – Neil said that he was underway with this, he only has one member of staff and he will go through the training with her when she was in work.
- It was noted that there was an area by the toilets which was not covered by CCTV, Neil informed that he was going to block this off rather than put a camera up.
- Outdoor seating – Neil was informed that all tables and chairs needed to be brought in by 6pm. Neil was of the understanding that it was only the tables and chairs located in the middle section and not the area by his premises. He was informed that it wall all tables and chairs that were outside.
- The noise complaints received were discussed and what had been witnessed by officers whilst on the out of hours noise service. It was requested that Neil applied for a variation to his license putting in conditions in relation to noise – he said that he did not want to do this as he was not willing to pay.
- Issues had been raised from other businesses in relation to him using their bins to deposit waste. Neil informed us that she has a bottle bin collection only as he currently does not have food waste at the moment as he is not offering it. He stated when he does start doing food then he will arrange for an additional bin collection.

On 12th August 2023 whilst working the out of hours noise service officers were called to Revelry, George Place, Peter Astin-Rae and PC Wharton attended the premises and witnessed excessive music emanating from the premises at approx.. 12am. Music could be clearly heard from the junction of Birley Street and Market street, when approaching the premises it was observed that front door to the establishment was open. When they arrived at the premises it was observed that Licensing Enforcement Officers were already speaking to the Manager Neil Bolton about the volume of music emanating from the premises. It was also observed by George Place that during their time at the property, that the member of door staff was situated at the bar and not at the front of the premises.

On 25th August 2023, officers working the out of hours night service were called to Revelry Bar. Rizwan Khan from Blackpool Council and PC Neil Cooper attended the premises and spoke with the DPS. They arrived at the premises just before 11pm and Loud Music could be clearly heard when approaching on Birley Street, the DPS was very aggressive and obstructive towards officers, asking them to leave as they were stopping customers from entering the premises. The DPS was filming the officers present, not listening to advice being given to lower the music and repeatedly asked officers to leave his premises.

Conclusion

Important Licensing Conditions have been flagrantly ignored in the prevention of a Public Nuisance.

It is recommended that additional conditions are included on the licence in relation of the prevention of a public nuisance from the provision of regulated or live entertainment from the premises. The following condition recommendations are requested:

- Noise attenuation measures to be used.
- Regulated entertainment (excluding recorded music) to end at 23.00 hours.
- The volume of amplified sound used in connection with any regulated entertainment shall at all times be under the control of the licensee or management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public.
- All externally opening doors and windows are to remain in a closed position during performances of regulated entertainment save for customer access and egress.
- Mechanical ventilation systems should be fitted to ensure that sufficient ventilation exists, which will prevent the need for doors / windows to be opened.
- Noise from any Regulated Entertainment shall be inaudible within the nearest sensitive properties.
- The use of external speakers are switched off at 9pm.
- The volume of music from external speakers will be at a low volume to not disturb other businesses or residential premises in the area.

Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 3 before completing)

Part 4 – Other relevant information

Have you made an application for review relating to this premises before?	Please tick		
	Yes	No	
		X	
If yes please state the date of that application	Day	Month	Year

If you have made representations before relating to this premises, please state what they were and when you made them.

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.	Please tick
	X
I understand that if I do not comply with the above requirements my application will be rejected	X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 5) **If signing on the behalf of the applicant please state in what capacity.**

Signed	
Print Name	Nicky Todd
Capacity	Acting Environmental Protection Manager
Date	

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 6)					
Title:	Mr	Mrs	Miss	Ms	Other
Forenames				Surname	
Address for Correspondence					

associated with this application		Post Code							
Telephone Number	01253 478318	Mobile Number	07738012535						
E-Mail Address	Nicky.todd@blackpool.gov.uk								

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
6. This is the address that we shall use to correspond with you about this application.

This page is intentionally left blank