

Report of:	Meeting	Date	Item No.
Mark Broadhurst, Service Director Health and Wellbeing	Licensing Committee	12 October 2017	4

Application for the variation of the Premises Licence - Deja Vu, 2B Vicarage Road, Poulton-le-Fylde, Lancashire, FY6 7BE

1. Purpose of report

- 1.1 To provide members with information to assist them at a hearing to determine an application submitted under section 34 of the Licensing Act 2003.

2. Outcomes

- 2.1 Determination of the variation application for Déjà Vu, submitted by Karl Langhorne, the premises Licence Holder.

3. Recommendation

- 3.1 That members consider the application to vary the premises licence in respect of Déjà Vu, 2B Vicarage Road, Poulton-le-Fylde, Lancashire, FY6 7BE.

4. Background

- 4.1 Déjà Vu occupies part of a two storey premises on the corner of Vicarage Road and Prudy Hill. The ground floor comprises a small reception foyer with stairs leading off to the first floor public bar and dance area. The remaining ground floor accommodation is occupied by Bistro Italia, a licensed restaurant which trades until 01:00 during the week and 01:30 on Thursday Friday and Saturday night.
- 4.2 Mr Karl Langhorne transferred the premises licence for the venue, which had previously operated as Uber, into his name on 1 June 2017.
- 4.3 He refurbished the premises, put his own management team in place, with Mrs Sharon Smallshaw holding the position of Designated Premises Supervisor and relaunched the business as Déjà Vu.

- 4.4 Mr Langhorne has installed an extensive CCTV system which includes a number of camera feeds covering the footways immediately outside the premises along Vicarage Road and the top of Prudy Hill.
- 4.5 The current licence permissions are summarised below. A full copy of the licence forms **Appendix 2** to this report.

**Sale of Alcohol for consumption both on and off the premises
Live and Recorded Music and Dancing**

Sunday to Thursday 10:00 to midnight
Friday and Saturday 10:00 to 01:00

The Premises is open to the public

Sunday to Thursday 10:00 to 00:30
Friday and Saturday 10:00 to 01:30

5. Key issues and proposals

- 5.1 Since Mr Langhorne took responsibility for the business in June 2017, Deja Vu has operated until 03:00 on 3 separate nights under the authority of Temporary Event Notices.
- 5.2 On the 5 September 2017 Mr Langhorne submitted an application under section 34 of the Licensing Act 2003 to vary premises licence PL(A)0146, in respect of Déjà vu, 2B Vicarage Road, Poulton-le-Fylde. The application is at **Appendix 1**.
- 5.3 The application seeks to extend the permitted hours for the sale of alcohol and the provision of regulated entertainment, on Friday and Saturday nights until 03:00 and to remain open to the public until 03:30. It also seeks these extended hours on Christmas Eve, New Year's Eve and Bank Holiday Sunday and Mondays
- 5.4 The applicant was not proposing to amend any of the existing conditions, which members will be aware were ratified by the Magistrates Court over the summer.
- 5.5 The application was correctly advertised, as required by the Licensing Act 2003 and during the 28 day representation period, one representation has been received from an interested party.

This representation raises concerns about the potential for public nuisance by way of noise breakout from the venue, along with the potential for nuisance and disorder on the streets, once clientele leave the venue. The representation is attached at **Appendix 3**.

- 5.6** Consultation has taken place with the Police Licensing Officer and as a result of this, the applicant has agreed to amend their application to include a new condition on their operating schedule and to re-word another condition. The mediation agreement detailing these amendments is attached at **Appendix 4**.
- 5.7** Consultation has taken place with the council's Environmental Health Officer who has not objected to the proposed extension to the permitted hours.
- 5.8** Consultation has taken place with the Fire Authority who have not objected to the proposed extension to the permitted hours.
- 5.9** There have been no other responses from the remaining Responsible Authorities.
- 5.10** This application has been brought before members to determine the variation application in the light of the representation received.
- 5.11** Members should take the Licensing Act 2003 (as amended), the Secretary of State's Statutory Guidance, issued under Section 182 of the Act and the Council's own Statement of Licensing Policy into account when determining this application and attention is particularly drawn to the following:
- 7.0 General Approach to Licensing
 - 14.0 The Licensing Objectives
 - 14.3 Prevention of Public Nuisance
 - 14.3.1 Disturbance by patrons leaving the premises
 - 14.3.3 Noise Nuisance

Financial and legal implications	
Finance	There are no financial implications directly associated with the review of this licence.
Legal	The hearing should be conducted following the principles of natural justice and in accordance with the Council's hearing procedures. All parties to the decision have the right of appeal to the Magistrates Court, if they are aggrieved by the decision of the Licensing Authority.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

risks/implications	✓ / x
community safety	✓
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

report author	telephone no.	email	date
Niky Barrett	01253 887236	Nicola.Barrett@wyre.gov.uk	02/10/2017

List of background papers:		
name of document	date	where available for inspection
Statement of Licensing Policy 2016-2021	7 January 2016	Licensing Section

List of appendices

- Appendix 1 - Current Premises Licence
- Appendix 2 - Application to vary the Premises Licence
- Appendix 3 - Representation
- Appendix 4 - Mediation agreement
- Appendix 5 - Site Plan

arm/rg/lic/cr/17/1210nb1

Application to vary a premises licence under the Licensing Act 2003

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. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mr Karl Langhorne
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PL (A) 0146
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
2B Vicarage Road			
POULTON - LE - FYLDE			
Post town	LANCASHIRE	Postcode	FY6 7BE

Telephone number at premises (if any)	01253 882299
Non-domestic rateable value of premises	£14750

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)	deja-vu-pouiton@mail.com		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

000104
190.00
cheg

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note

2)

To extend current hours to 03:00 for licensable activities on Friday and Saturday nights, Christmas eve, New Years eve and bank holiday weekends and to remain open to the public until 03:30 on those days.

Add Late night refreshment to the licence

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

525

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>	
Mon				
Tue			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>	
Wed				
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u>	
Fri				
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u> Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon			
Tue			<u>Please give further details here (please read guidance note 5)</u>
Wed			
Thur			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>
Fri			
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>
Sun			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details (please read guidance note 5)</u>
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events (please read guidance note 6)</u>
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)</u>
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	00:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	10:00	00:00			
Fri	10:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	10:00	03:00	Christmas eve, New Years eve, Bank holiday Sunday & Mondays 10:00 – 03:00		
Sun	10:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	10:00	00:00			
Tue	10:00	00:00	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Wed	10:00	00:00			
Thur	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u> Christmas eve, New Years eve, Bank holiday Sunday & Mondays 10:00 – 03:00		
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	10:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	00:00	Please give further details here (please read guidance note 5)		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur	10:00	00:00			
Fri	10:00	03:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7) Christmas eve, New Years eve, Bank holiday Sunday & Mondays 10:00 - 03:00		
Sat	10:00	03:00			
Sun	10:00	00:00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	23:00	00:00			
Fri	23:00	03:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7) Christmas eve, New Years eve, Bank holiday Sunday & Mondays 23:00 – 03:00		
Sat	23:00	03:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	10:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) Christmas eve, New Years eve, Bank holiday Sunday & Mondays 10:00 – 03:00		
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	10:00	00:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	03:30	
Sat	10:00	03:30	
Sun	10:00	00:30	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

Christmas eve, New Years eve,
Bank holiday Sunday & Mondays

10:00 - 03:30

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

None in addition to those conditions already imposed on licence

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	5th September 2017.
Capacity	OWNER.

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			



Licensing Act 2003
Premises Licence

PREMISES LICENCE NUMBER

PL(A)0146

Part 1- Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Deja-Vu

2B Vicarage Road
Poulton-Le-Fylde
Lancashire
FY6 7BE

Telephone number

WHERE THE LICENCE IS LIMITED THE DATES THAT APPLY

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

E.Live music-Indoors

F.Recorded music-Indoors

G.Dance-Indoors

I.Making music-Indoors

J.Facilities for dancing-Indoors

M.Sale of alcohol ON and OFF premises

LICENSABLE ACTIVITIES-AUTHORISED TIMINGS

E.Live music-Indoors		
FRIDAY AND SATURDAY		10:00 - 01:00
SUNDAY TO THURSDAY		10:00 - Midnight
F.Recorded music-Indoors		
FRIDAY AND SATURDAY		10:00 - 01:00
SUNDAY TO THURSDAY		10:00 - Midnight
G.Dance-Indoors		
FRIDAY AND SATURDAY		10:00 - 01:00
SUNDAY TO THURSDAY		10:00 - Midnight
I.Making music-Indoors		
FRIDAY AND SATURDAY		10:00 - 01:00
SUNDAY TO THURSDAY		10:00 - Midnight
J.Facilities for dancing-Indoors		
FRIDAY AND SATURDAY		10:00 - 01:00
SUNDAY TO THURSDAY		10:00 - Midnight
M.Sale of alcohol ON and OFF premises		
FRIDAY AND SATURDAY		10:00 - 01:00
SUNDAY TO THURSDAY		10:00 - Midnight

OPENING HOURS OF THE PREMISES

FRIDAY AND SATURDAY	10:00 - 01:30
SUNDAY TO THURSDAY	10:00 - 00:30

Part 2

NAME, (REGISTERED) ADDRESS OF HOLDER(S) OF PREMISES LICENCE

Mr Karl Langhorne
The Moat House
Mains Lane
Poulton-Le-Fylde
Lancashire
FY6 7LE

EMAIL karllangs@aol.com

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE, COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mrs Sharon Smallshaw

Sunnyhurst, Mill Lane, Stalmine, Lancs, FY6 0LR

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY THE DESIGNATED PREMISES SUPERVISOR

Licence No WBCPA0402

Wyre Council

OPERATING CONDITIONS

ANNEX 1 - Mandatory Conditions

- 1.1 No supply of alcohol may be made under this licence
- a. at a time when there is no designated premises supervisor in respect of it or,

b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

1.2 Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions where Door Supervisors are provided

All individuals who carry out security activities must be licensed by the Security Industry Authority (SIA)

Mandatory Licensing Conditions (October 2014)

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Licensing Act 2003 (Mandatory Licensing Conditions) Order May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula—
$$P = D + (D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were

- charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEX 2

Crime and disorder

- 2) Mr Elliot Simpson is not permitted on the premises or to be involved in any business or financial transactions in connection with the business.
- 3) CCTV will be installed internally and externally at the premises and will comply with the following: -
 - o The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system.

- o The system will display on any recording the correct time and date of the recording.
- o The system will make recordings during all hours that the premises are open to the public.
- o The VCR tapes or digital recording will be held for a minimum of 31 days and 28 days respectively after the recording is made and will be made available to the police or any authorized persons acting for a responsible authority for inspection upon request.
- o The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.

A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that 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.

The Licence Holder or Designated Premises Supervisor will 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 licence conditions.

Appropriate signage informing customers that CCTV is recording will be displayed in conspicuous positions on the premises.

Bi-Annual documented maintenance checks of the CCTV system, including the recording system, will be carried out by the Designated Premises Supervisor to ensure that the system is in good working order and fit for purpose.

- 4) All members of staff shall receive suitable training with regard to serving drunks and conflict management and are to receive regular refresher training at intervals of a maximum of 3 months, records to evidence this will be made available to authorised officer upon request.
- 5) The Licence holder is to support and rigorously enforce the Challenge 25 proof of age policy.

Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- i. UK photo driving licence
- ii. Passport
- iii. Proof of Age Standards Scheme Card
- iv. Armed forces ID cards

All staff involved in the sale of alcohol shall receive suitable training in relation to proof of age scheme to be applied upon the premises. All staff receive regular refresher training at intervals of at least 3 months. Records to evidence this will be made available to officers upon request.

- 6) An incident book will be maintained in which will be recorded:
 - o All incidents of crime and disorder.
 - o Refused sales to suspected underage and drunken persons.
 - o A record of any person asked to leave the premises or that are removed from the premises.
 - o Details of occasions on which the police are called to the premises.
 - o A record of persons searched on suspicion that drugs are being carried and their reason for such suspicion.
 - o The book will be available for inspection by a police officer.
- 7) To provide from 10pm a smoking area on Vicarage Road and to encourage by way of a notice in the foyer and outside and verbally by members of staff, customers to be quiet and to return to the premises as soon as possible
- 8) A zero tolerance drugs policy will be adopted at the premises.
- 9) 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. A record of such checks will be kept at the premises.
- 10) Where there is reasonable suspicion that drugs are being carried, the licensee shall ensure that the outer clothing, pockets and bags of those entering the venue are searched by a trained staff member of the same sex.
- 11) 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.
- 12) Records of incidents involving the use, and/or detection of drugs shall be maintained and those records shall be available for inspection.
- 13) Confiscated and found drugs shall be transferred to the police in accordance with procedures agreed with Lancashire Constabulary.
- 14) No person in possession of an alcoholic drink in an unsealed container shall be allowed to leave the premises.
- 15) Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises
- 16) All drinking vessels used at the premises will be made of toughened glass or polycarbonate.
- 17) Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises.
- 18) The licence holder and the Designated Premises Supervisor shall ensure sufficient door staff are employed at the exit to ensure that patrons leaving the premises do so in an orderly manner to prevent nuisance to neighbours.
- 19) The Licensee shall ensure that staff departing late at night when the business has ceased trading, conduct themselves in such a manner to prevent disturbance to nearby residents.

No person shall be admitted to the club if they are suspected of being intoxicated.

Public safety

The licence holder shall ensure that the following current certificates are available for inspection:-

Electrical test certificate
Fire alarm test certificate
Emergency lighting test certificate

RCD certificate
Fire extinguisher maintenance records
Structural inspection certificate

The occupancy of the premises should not exceed 525 persons

Prevention of public nuisance

The premises should be equipped with a fully operational air conditioning system.

The premises should be compliant with the recommendations in the Good Practice Guide on the Control of Noise from Pubs and Clubs issued by Institute of Acoustics.

Protection of children

Admission to the premises should be strictly controlled by door staff

No person under the age of 18 are to be admitted to the premises during opening hours.

ANNEX 3

A notice should be placed on the premises where it can be easily read requesting customers to be quiet when they leave the premises and immediate area and not to discard containers or wrappings in the street or on other people's property but to place them in litter bins or take them home.

No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.

All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency.

The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.

Conditions added to licence following review held April 2010

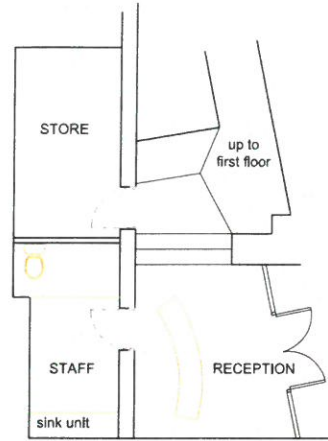
- 1 A personal licence holder shall be on the premises at all times during which intoxicating liquor is being sold or supplied to customers or consumed by customers, except in the case of an emergency
- 2 Whenever the designated premises supervisor is not at the premises another personal licence holder will be nominated by the designated premises supervisor as being the responsible person to manage the premises and will have the contact details of the designated premises supervisor. The details of such person to be on prominent display at the entrance to the premises.
- 3 A minimum number of 3 members of door staff registered with the SIA will be on duty from 22:00 hours for the first 100 or part thereof to a maximum of 7 door staff, save for those occasions where the venue has been pre-booked for a private party. On such occasions, the requirement of door staff will be the subject of a full risk assessment.
- 4 Two door supervisors registered with the SIA will remain outside the premises until at least 15 minutes after the last customer has left the premises to prevent disorder and noise nuisance.
- 5 Door supervisors registered with SIA shall be equipped with an appropriate method of keeping an accurate record of the capacity levels, including any separate capacity levels for individual rooms or levels.
- 6 Door Supervisors shall be positioned at each entrance/exit (other than fire only exits) to ensure that no customer leaves with any bottles or glasses.
- 7 A door supervisor will patrol the queue to the premises as necessary but no less than once every 5 minutes and carry out constant supervision of the smoking area (except in the case of an emergency) to ensure that customers in both areas who are drunk or who have acted in a disorderly manner, or have behaved in such a way as to cause a public nuisance or disturbance, are prevented from entering or re-entering the premises. The door supervisors shall encourage customers not to be outside the premises for more than ten minutes at any one time.

- 8 The designated premises supervisor will maintain a daily record comprising of the following: -
Start time and finish time of each door supervisor. The door supervisor will record their SIA badge number and will sign and print their name in a legible form at the beginning and end of each tour of duty. The record shall be kept securely on the premises for at least 6 months and shall be produced on request to the police or other authorised person.
- 10 All staff will successfully complete training in age related products prior to commencing employment, refresher training will also be successfully completed not more than every 3 months, this will be fully documented and be available for inspection to police officers or other authorised persons.
- 13 That a sound limiter should be fitted to the premise, the limiter should be capable of being set and should ensure it cannot be tampered with, levels should be set in conjunction with the Environmental Protection section and the limiter must be used at all times.
- 14 A cut off device is fitted to each fire door to ensure that if opened the music stops.
- 15 All live entertainment must be provided through the premises sound system and therefore will be subject to the noise limiter.
- 17 The area around the premises should be inspected at the end of the operating times and any litter, bottles or other rubbish should be collected. This includes cigarette debris left outside the building by smokers. This should be done in a manner which does not cause nuisance to neighbouring properties.

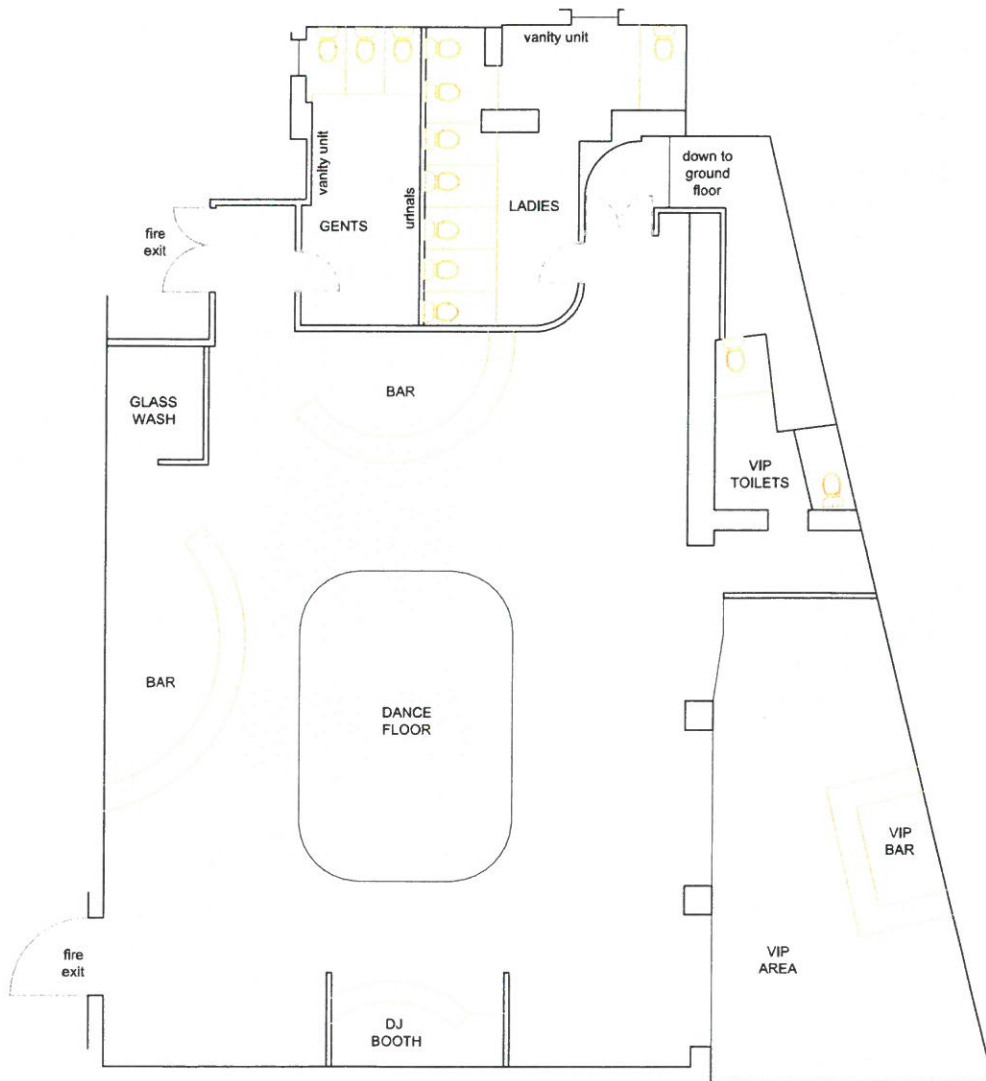
ANNEX 4
Plan of the premises

Plan dated June 2017

Deja vu Nightclub. Poulton.



GROUND FLOOR LAYOUT 1:100 @ A3



FIRST FLOOR LAYOUT 1:100 @ A3

ANNEX 4
PL(A)0146 - June 2017

19 September 2017

Dear Sir or Madam

Deja Vue, 2b Vicarage Road, Poulton-le-Fylde – Application for variation to licence

We strongly oppose the variation to the above licence of extended hours.

Our reasons are the public nuisance of people leaving the premises at 3.30am when the background noise of Poulton has died down, it amplifies the sound levels.

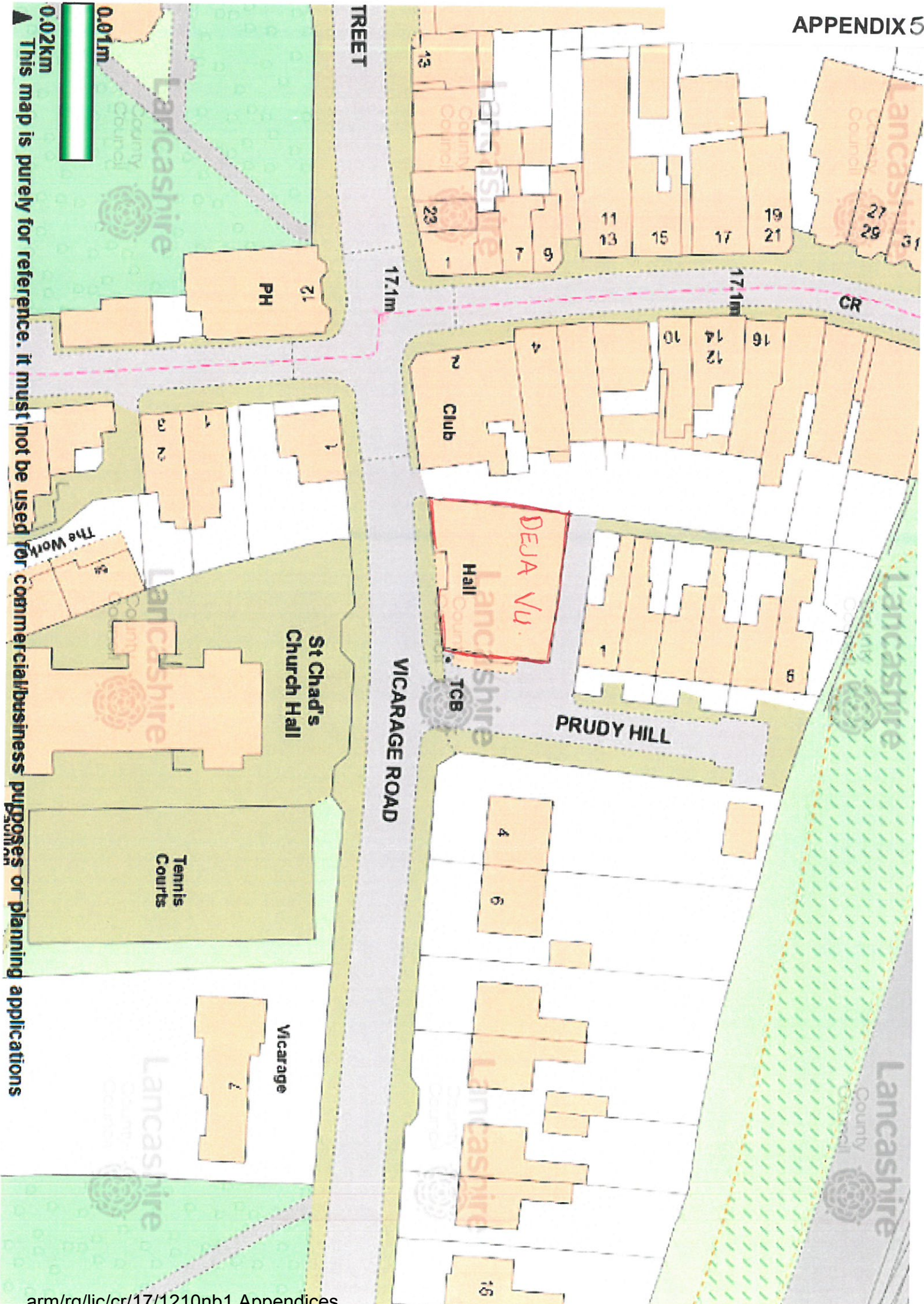
The other major problem is in the past when it was licenced to 3.00am, was people coming down Prudy Hill, which is next door to the club where we live. This is the area where drug dealing, drug taking, sexual activity and using the street as a toilet and the general nuisance of people on their phones and coming out smoking when the background noise of Poulton had died down, and then returning to the club.

When the police put a mandatory condition on the licence to put a steward at the top of Prudy Hill to stop all this activity down the street, it improved the matter dramatically and improved the quality of our lives. As we believe that this is a transferred licence by the court at Salford then this should still apply.

Yours faithfully

Ron & Jean Preston

Wyre Council Licensing Service			
Notification of Mediation Agreement			
Premises Details			
Name of Premises:	Deja Vu		
Premises Address:	2B Vicarage Road, Poulton-le-Fylde		
Post Code:	FY6 7BS		
Responsible Authority			
Service / Department	Lancashire Constabulary		
Officer (Print Name)	PC 4107 Emma Pritchard		
	Signature	<i>E.P. Howard</i>	
Proposed changes to Application Operational Schedule			Mark one
Adequate changes proposed during the representation period. No representation made.			X
Some changes proposed. Representation will follow for remaining concerns.			
Some changes made after representation submitted. Continue to hearing.			
Full and adequate proposals made after representation. Representation withdrawn.			
Applicant's consent to amend Licence Application			
I the undersigned am the applicant and hereby authorize Blackpool Licensing Service to amend my application as detailed below. I understand that these amendments may be included as conditions on the Premises Licence should one be issued.			
Applicant's Name (Please <u>print</u> clearly)	Karl Langhorne		
Applicant's Usual Signature			
Date of signing			2017
Amendments			
1	The following conditions to be added to the operating schedule:		
1 15	Functions which specifically target young people aged 18 years (for example birthday parties) will not be allowed to take place on the premises		
30	A minimum number of 3 members of door staff registered with the SIA will be on duty from 22:00hrs for the first 100 customers and increase by 1 for every further 100 or part thereof.		
2	The following conditions to be removed from the operating schedule:		
	A minimum number of 3 members of door staff registered with the SIA will be on duty from 22:00hrs for the first 100 or part thereof to a maximum of 7 door staff save for those occasions where the venue has been pre-booked for a private party. On such occasions. The requirement for door staff will be the subject of a full risk assessment.		



▲ This map is purely for reference. it must not be used for commercial business purposes or planning applications