

Dear Councillor

**LICENSING PANEL - WEDNESDAY, 2ND AUGUST, 2017**

Please find attached additional information for Wednesday, 2nd August, 2017 meeting of the Licensing Panel, which were received after the agenda had been despatched.

<b>Agenda No</b>	<b>Item</b>
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| 4 | <b><u>APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- FOOD LOUNGE</u></b> (Pages 1 - 2) |
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Yours sincerely

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## Additional Information from the Licensing Authority

On 23 June 2017 I carried out a routine food hygiene inspection of Food Lounge, 22 Market Street, Blackpool, FY1 1EX. This inspection was carried out with Food Control Manager Carolyn Bland. The inspection was prompted by a complaint from Blackpool Transport stating that the rubbish keeps building from the business and causing a bad smell in their part of the building. The business was also due a routine food hygiene inspection.

We arrived at the premises at approximately 20:15, the lights were on, the doors were open and food was cooking on the kebab spits. I introduced us to the man behind the counter, who gave his name to be Naz. On asking to come in and have a look around, Naz immediately walked round to the employee toilet and went inside. I quickly followed him to see what he was doing, and he walked back out and said that there was no light in there. I noticed that the toilet floor was flooded with water, and had encroached into the food room.

I asked Naz where this water was from. As he was giving an explanation I could see that it was from the toilet bowl overflowing. Naz then went to walk back into the toilet area to which I quickly stopped him, as he had already walked this water back into the food area. He said that the motor to the toilet was not working and had caused it to overflow. We asked him why the business was open with such an issue present, to which he said he was only looking after the business that day for the owner, who I know to be Nabil Awadi.

He then stated that the motor to the toilet had been fixed 6 times. I did not understand what we being meant by 'motor' but we could not get into the toilet to investigate.

I asked where the bins were stored and Naz showed me out the back door and said to follow the corridor round. I found no issues with the bin area on this occasion. On looking around the kitchen I could see that it was generally dirty and greasy, with grease to the floor, and dirt to the equipment. The hand washbasin was blocked with clothes and food tongues, dough was being stored in a black bin liner and the covering to the front counter was peeling off. I asked Naz if he had any documentation or monitoring records, to which he stated that they were up in the office and the door was locked.

On returning to the subject of the blocked toilet, Naz stated that he intended to unblock the toilet and mop up the water. However he was the only person present at the premises. This would mean that if a customer came in and ordered food, he would be handling food and dealing with the toilet overflow simultaneously, as well as continuing to walk the water into the food room.

Carolyn and I explained to Naz that we were going to close the business using a hygiene emergency prohibition notice, and that he needed to cease trading. He was asked to turn off the cooking equipment. On doing so he proceeded to put plastic bags on his feet and began to mop up the water. Ms Bland told him that he needed to get the toilet unblocked, clear up the water, disinfect the affected area, and dispose of the mop that was being used.

Naz was angry that he was having to close the business, saying that he needs to feed his family and we were stopping him from earning money. I explained that the business should never have opened that evening, in the knowledge that the toilet water was overflowing and contaminating the food area. As it was a Friday night, I said to him that I was willing to meet someone at the premises the next day, being a Saturday, to check that the toilet had been fixed, the water had been cleared up, and the floor had been cleaned and disinfected. I said several times that I would be there at 4 o'clock, and providing the works had been carried out, I would give permission for the business to

re-open, and that the business must not reopen without permission. He agreed to this and said that he would do what was asked.

I asked Naz to confirm the owner of the business, and he said Nabil. I noticed the employee liability insurance certificate on the wall that stated Nabil Awad. I was aware from Licencing Enforcement Manager Mark Marshall that this name had been formally changed to Nabil Awadi. I completed the hygiene emergency prohibition notice, stating Mr Awadi as the food business operator. This was made with 2 carbon copies, one for our records, and one to leave at the business, and the main copy was taped to the front window of the premises by myself and Ms Bland.

I again reiterated that I would be there at 4pm the following day. Ms Bland then asked that Naz turn off the lights to the front as the business still appeared open and trading. We then left the premises. On 24 June 2017 I returned to the premises. I arrived at 15:40 and found that the hygiene emergency prohibition notice had been removed from the front window. There was nobody present at the premises. Appreciating that I was early for the appointment, I left and returned at 16:00. Again there was nobody present

. I waited outside of the premises until 16:15 and then left. I had some personal errands to do in the town centre, and heading back to where my car was parked I decided to walk back passed the business. As I approached I could see that the lights were on and the front doors were open. I took a photograph of the outside of the premises, and entered at approximately 17:20. Nobody was in the cooking area but I could see that food was cooking on the kebab spits. I could hear someone coming down from the office and the man who I knew to be the owner, Nabil Awadi, appeared. I asked him why the business was open. He said that he the leak was sorted so he was alright to reopen. I said that I had told Naz on several occasions that the business was not allowed to reopen without the permission of an authorised officer hence the appointment made for 4 o'clock.

Mr Awadi did not make any sense as to why he had reopened and the conversations that he had with Naz. At first he said he didn't know there was an appointment but then went on to say that Naz said he could open after 4 o'clock. I stated that therefore he must have known about the appointment to know that the time was made for 4 o'clock, to which he said he didn't know because the appointment wasn't made with him. He also said that he didn't know that there was an issue with the toilet, when Naz had stated it had been fixed previously around 6 times.

I asked where the hygiene emergency prohibition notice was and why it had been removed from the front window. He stated that Naz had taken it to him to show him. I stated that it should have been left in the window, and that a second copy was left at the premises that could have been shown to him. Very little of what Mr Awadi said in defence of opening and the removal of the notice from the window made any sense. I then asked Mr Awadi for the food safety documentation that were unable to be produced the night before.

Mr Awadi stated that Naz would have then because he was looking after the business. I asked Naz's involvement in the business and Mr Awadi stated that he had been a sub tenant looking after the business for about a year. I checked the toilet and the toilet was functioning. The mop and bucket were still there so I stated that the mop needed to be thrown away and the bucket thoroughly disinfected. I told Mr Awadi that the business would be permitted to continue trading as the health risk no longer exists, however again stressed that he should not have opened the business without the permission of an authorised officer following the service of the hygiene emergency prohibition notice. It also states on the back of the hygiene emergency prohibition notice that it is an offence to remove or deface the notice.