

Blackpool Council

10 April 2015

To: Councillors Green, Hunter and Hutton

The above members are requested to attend the:

LICENSING PANEL

Thursday, 23 April 2015 at 1.00 pm
Solaris Centre, New South Promenade

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 Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

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, 4(a) and 4(c) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- LOS GRINGOS (Pages 1 - 34)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Los Gringos
- c. ANNOUNCEMENT OF THE DECISION FOR THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Los Gringos

Venue information:

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

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail lennox.beattie@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:	Sharon Davies, Head of Licensing Services
Date of Meeting :	23 rd April 2015

APPLICATION TO REVIEW A LICENCE – Los Gringos

1.0 Purpose of the report:

1.1 To consider an application by the Licensing Authority to review the licence issued in respect of Los Gringos, 1 Dickson Road.

2.0 Recommendation(s)

2.1 The panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

3.1 This application must be determined by a panel.

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

3.3 Other alternative options to be considered:

None, once a review application is received it must be determined by the Licensing Panel

4.0 Background Information

4.1 Los Gringos, 1 Dickson Road Blackpool has the benefit of a Premises Licence authorising the provision of late night refreshment 23.00 – 05.00 hours daily. On 12th March 2015 the Licensing Service received an application from the Licensing Authority to review this licence on the grounds of crime and disorder, public safety and public nuisance. A copy of the application is attached.

4.2 Representations in support of the application have been received from the Police and Health and Safety. Copies of the representations are attached.

4.3 The licence holder is Mostaffa Blamane. He has held the licence since July 2013.

4.4 **Local policy considerations**

None

4.5 **National policy considerations**

Section 11 reviews is relevant in particular:

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.

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.”

The panel have the following powers:

1. Take no action
2. Modify the conditions of the licence (by adding removing or varying conditions)
3. Exclude a licensable activity from the licence
4. Remove the DPS
5. Suspend the licence for up to three months
6. Revoke the licence.

Observations

This licence was granted in February 2006 and has the following conditions endorsed:

Annex 1 - Mandatory conditions

Door Supervision

- 1 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

Annex 2 - Conditions consistent with the Operating Schedule

Unless conditions 1, 7, 8, 9, 12 and 13 are complied with, the premises only have permission to trade until 3am.

- 1 No music shall be played on the premises.
- 2 The premises licence holder shall provide adequate ventilation so as to ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to properties within close proximity.
- 3 The premises licence holder shall provide suitable containers for the storage of waste by vandals, thieves, animals, accidental spillage or inclement weather.
- 4 The collection and disposal of any waste / refuse should not take place externally between the hours of 2200 - 0800.
- 5 The premises licence holder will arrange for litter dropped in the vicinity of the licensed premises to be collected and removed at the licence holder's expense at a frequency of not more than sixty minute intervals during opening hours. This includes washing away to the gutter any spilled food.
- 6 Any external light source associated with the premises shall not cause a nuisance or disturbance to any property within close proximity.
- 7 The licensee shall provide and maintain suitable and sufficient CCTV surveillance systems covering the premises internally and externally.
- 8 The CCTV control room will be notified:
 - a) On any occasion when the premises CCTV or radio system is inoperative,

b) When the CCTV or radio system has been brought back into use.

- 9 The licence holder shall notify the Police Licensing Unit on any occasion when the CCTV or radio system 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.
- 10 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 officer or a responsible authority.
- 11 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 12 The licence holder shall join and participate in the Radiolink scheme.
- 13 SIA registered doorstaff will be employed on the premises each Friday and Saturday between 3am and 5am, such persons to wear a reflective jacket of a type approved by Lancashire Constabulary.
- 14 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises is 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. This data or footage reproduction should be almost instantaneous.
- 15 The premises shall have installed a wall-mounted screen, no smaller than 42", mounted in a prominent position within the premises, so that patrons can view live-recorded CCTV footage.

4.5 Does the information submitted include any exempt information? No

4.6 **List of Appendices:**

Appendix 4a: Application for a Review

Appendix 4b: Representations from Lancashire Constabulary

Appendix 4c: Representations from Health and Safety

5.0 **Legal considerations:**

5.1 Please see local and national policy in the background information.

6.0 Human Resources considerations:

6.1 None

7.0 Equalities considerations:

7.1 None

8.0 Financial considerations:

8.1 None

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Blackpool Council

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

LICENSING ACT 2003

**Review
requested by:**

Licensing Authority



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	Mark Marshall
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[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	Los Gringos								
	Dickson Road								
	Blackpool	Post Code	F	Y	1	2	A	X	
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)								WA0120	

Part 2 – Applicant details

I am:

1) an individual, body or business which is not a responsible authority	Please tick <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 No.																		
Email Address																		

(2C) Responsible Authority applicant

Name	Mark Marshall																
Address	Bickerstaffe House																
	Number One Bickerstaffe Square																
	Blackpool				Post Code	F	Y	1			3	A	H				
Telephone Number	01253 478349																
Email Address	Mark.marshall@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	√
4) the protection of children from harm	

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

Los Gringos is located on Dickson Road in close proximity to the junction of Queen Street and has for a lengthy period of time adopted a way of conducting Business which has been a cause for concern for the Authorities and Neighbouring Domestic and Commercial Properties. This fast food takeaway is continually busy serving intoxicated members of the public socialising at nearby licensed premises, especially on Friday and Saturdays in the late night and early morning hours. The mixture of takeaways, several licenced night time venues combined with a significant number of domestic properties will always need careful management however the management of Los Gringos is clearly adopting an opposing style of management that is totally the opposite of careful.

A program of intervention visits incorporating advice and education on general areas of cleanliness in the interior where litter bins found to be overflowing, floor greasy in all areas and clearways blocked with waste bags. The immediate exterior being heavily littered with food debris and containers discarded by customers from within the store. Intervention visits have been undertaken but unfortunately all to no avail and in some areas the problems are in fact getting worse. This is exasperated by the ownership of the business regularly changing hands. Officers conducting visits are faced with new owners/managers who have no knowledge of existing ongoing problem.

A number of visits have taken place from various Council Departments.

On the 29/6/2014 the premise was visited a **Hamid Mechnan** was spoken to by Licensing, Food Hygiene and Commercial Waste officers, several areas of mismanagement ranging from customers congregating outside the premises and loutish behaviour taking place, general cleanliness within the premises and very poor waste management were observed thus resulting in advice and warnings given verbally regarding general business operations.

2/10/2014, Site visit (Document 1 no 01002) Fixed Penalty issued to a **Hamid Mechnan** for failure to produce Authority (Waste Transfer Note) and further advice given

22/10/2014, Site visits further advice and education given verbally to **Hamid Mechnan** regarding licensing conditions around conducting regular litter patrols and implementing a check sheet to back this up.

28/10/2014, Site observations (**no officer visit to premises**) for instances of anti-social behaviour/waste issues, 3 separate instances of violent disorder plus 3 instances of waste management breaches.

11/11/2014, Site observations (**no officer visit to premises**) to check for compliance of advice

LS/F/009/14/3

given previously. Continual license condition breaches regarding outside litter patrolling, door staff observed chatting in a group away from designated premise area.

28/11/2014, Site observations (**no officer visit to premises**) further instances of non-compliance observed again no regular litter patrol put in place. Noticeable amounts of litter outside premises

5/12/2014, Further advice and education given verbally by officers Danny Stephenson and Steve Charnock to the owner a **Hamid Mechnan** at the time to again implement check sheets for completed litter patrols.

1/2/2015, Site observations (**no officer visit to premises**) 4 separate instances of violent disorder was observed by Council Officers with small groups of people creating a larger group all hanging around outside the premise arguments then ensued between the various groups requiring the intervention of both the police and door staff from various premises thus diluting supervision at designated posts, individuals were observed urinating in the street, door staff at Flamingos unable to close doors to premises due to attempting to contain disorder outside as no police presence observed after 5am, further instances of mismanagement of waste in the form of illegal depositing of controlled commercial waste in black bin bags as previously observed waste is always deposited on or around the time the store is about to close, contrary to section 47 EPA 1990.

5/2/2015, (Document 2 no 01006) Fixed penalty issued to **Mosstafa Blamane** (new owner at the time of visit) due to previous contraventions of waste management from cctv footage and site observations (section 47 EPA 1990) for offences in relation to Waste receptacles, (Document 3) CPN notice also issued by hand.

14/2/2015, Site visit 04.50hrs licensing breach in relation operation of CCTV (Document 4) warning letter issued.

Photographs attached will show areas of mismanagement.



At 06.34hrs on the 25th of January 2015 member of staff observed leaving Los Gringos with waste sacks (black bags).



LS/F/009/14/3

At 06.34.50hrs on the 25th of January 2015 member of staff from Los Gringos observed depositing waste bags (black sacks) into Council vehicle without Authority and in incorrect receptacle (black bags).



At 06.34.53hrs on the 25th of January 2015 member of staff observed returning to store empty handed following Illegal deposit of commercial waste.



At 06.12 hrs on the 18th of January 2015 approximately 1 hr 15 minutes after Licensing Hours photograph showing large group of people observed congregating outside Los Gringos no requirement for door staff to prevent instances of anti-social behaviour.

Conclusion

Los Gringos and the style of management and supervision practices that are currently in place are of such failing and inadequacy that the detrimental and environmental affect it is having to nearby Businesses and residents in the locality.

Issues and observations raised in previous visits are continually repeated so if not brought into line will only serve to escalate as the season and summer months come into play.

Section 182 of the Licensing Act 2003 Guidance paragraph 11.10 states;

Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holder's early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

The intervention and resource from all Public Authorities has been significant. The police intervention is often low level and not recorded on systems, as stepping into an argument or splitting up an arguing couple is seen as routine. What does need to be considered is, the Public Authorities resource could be utilised in other areas if the premises were more in tune with properly promoting the Licensing Objectives.

For this reason with the scale of intervention, the period of observations and the formal action taken to date we say that any responsible operator would have got there house in order and engaged with Authorities pro-actively to address concerns.

This has not happened, hence the reason for this application...

We say that trading at this establishment is irresponsible, the management structure is opaque and responsive only when formal action is engaged and if unsupervised a serious incident is inevitable. For this reason the curtailing of hours should be a minimum step with a requirement to have more door staff (at least 2) engaged at a much earlier time (01.00hrs), however the committee may consider that the weight of evidenced adduced that the only secure way f safeguarding the licence objectives is to consider Revocation.

DOCUMENT1. Fixed Penalty Notice 01002

DOCUMENT2. Fixed Penalty Notice 01006

DOCUMENT3. CPN Notice

DOCUMENT4. Warning Letter

Empty rectangular box for information.

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)

Large empty rectangular box for providing application details.

Part 4 – Other relevant information

Have you made an application for review relating to these premises before?	Please tick	
	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

	Day		Month		Year	
If yes please state the date of that application	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to this premises, please state what they where 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.	<small>Please tick</small> <input type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected	<input type="checkbox"/>

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	
Capacity	
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		Mobile Number	
E-Mail Address			

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.

DICKSON ROAD

LOS GINGOS

2/10/14

DOCUMENT 1



Reference no: **01002**
Blackpool Council

Notice of Opportunity to Pay Fixed Penalty Notice

Alleged Offender: **HAMID MEHMAN**

Address: **1 DICKSON ROAD**

BLACKPOOL Post Code **FY1 2AX**

Issued By: **D. STEVENSON** Cost Code: **NY8617301**

On (Date): **2ND OCTOBER 2014**

Offence Location: **ROAD ALLEY**

Post Code **FY12AE**

Details of Offence [Overleaf (A to N)] **C. FAILURE TO PRODUCE AUTHORITY WASTE OUT OF CONTROL**

An authorised officer of **BLACKPOOL COUNCIL** has reason to believe that you have committed an offence as detailed above.

This notice offers you the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty.

No Court proceedings will be taken for this offence before the expiration of the **FOURTEEN DAYS** following the date of this notice. You will not be liable to conviction for the offence if you pay the fixed penalty during that period of fourteen days.

The fixed penalty amounts for offences are shown overleaf, including discounted amounts for payment with 10 days as appropriate.

Payment may be made by debit or credit card by contacting the Customer First Centre on (01253) 477477, quoting the notice reference number.

Alternatively payment may be made by cheque/cash/postal or money order payable to Blackpool Council either in person or by post to the following addresses. In either case this notice should accompany the payment.

Blackpool Council, Customer First Centre, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF

Cash should be sent by registered post - payment made in this way will be regarded as having been made at the time at which the letter would be delivered in the ordinary course of post.

DOCUMENT 2

Summary: FPN Ref: 01006 - Offence: 1 Offences in...

Reference: 1820918 Status: Paid
 Date Created: 06/Feb/2015 09:40 Created By: Danny Stephenson
 Date Closed: 19/Feb/2015 12:20 Allocated To: Danny Stephenson

Details

Offenders Name: Mosstafa Blamane
 Offenders Address: Los Gringos
 1 Dickson Road
 Blackpool
 FY1 2AX

Name of parent or guardian (if a child):
 Issuing Officer: Danny Stephenson
 Assisting Officer:
 Date and Time Offence Occurred: 05/Feb/2015 18:50
 Location of Offence: Los Gringos
 1 Dickson Road
 Blackpool
 FY1 2AX

Location of Offence Notes: Pocket Note Book Entry
 Offence type: 1 Offences in relation to waste receptacles
 Details of the offence: black bags by street litter bin and in council vehicle, misuse of waste receptacles

Fixed Penalty Charge: 60
 FPN Reference: 01006
 RIA Number:
 Neighbourhood: PROMENADE & TOWN CENTRE NEIGHBOURHOOD
 Fine increases on:: 19/Feb/2015
 Full Fine Cost: 100
 Paris Reference: 0327224
 FPN Paid: Yes
 View FPN via RIA Letter:
 Create Waive letter:
 Type of Appeal:
 Resolution:

Notes:

19 Feb 12:20 Danny Stephenson Paid
 06 Feb 09:44 System Payment Pending (Discount Rate)
 06 Feb 09:43 Danny Stephenson Details Entered
 06 Feb 09:43 Danny Stephenson Accepted
 06 Feb 09:40 Danny Stephenson Created

Date Printed: 26/Feb/2015 13:33

Notice of Opportunity to Pay Fixed Penalty Notice

Alleged Offender: MOSTAFA BLAMINE
Address: 1 DIXSON ROAD
BLACKPOOL Post Code FY1 2AX
Issued By: D. STEPHENSON Cost Code: PT8601701
On (Date): 5TH FEBRUARY 2015
Offence Location: FRONT STREET BY LITTLE RILL
IN COUNCIL VEHICLE Post Code FY1 2AX
Details of Offence [Overleaf (A to N)] T OFFENCE IN
RELATION TO WASTE RECEPTION

An authorised officer of **BLACKPOOL COUNCIL** has reason to believe that you have committed an offence as detailed above.

This notice offers you the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty.

No Court proceedings will be taken for this offence before the expiration of the **FOURTEEN DAYS** following the date of this notice. You will not be liable to conviction for the offence if you pay the fixed penalty during that period of fourteen days.

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Cash should be sent by registered post – payment made in this way will be regarded as having been made at the time at which the letter would be delivered in the ordinary course of post.

WARNING NOTICE

Anti-Social Behaviour Crime and Policing Act 2014, sections 43 to 58.

To: Mr Mosstafa Blamane
Address: [Redacted]
Premises: Los Gringos 1 Dickson Road, Blackpool FY1 2AX

WARNING

Being satisfied that your conduct is having a detrimental effect, of a persistent or continuing nature on the quality of life of those in the locality, and the conduct is unreasonable. Mark Marshall an authorised officer of Blackpool Council, hereby requires you to:

Activity required to cease:

- i. Nuisance and anti-social behaviour caused by patrons of your premises between the hours of 5:00 am and 6:30 am.

Action required:

- 1. To employ a Registered Door Supervisor at the premises between the hours of 5:00 am to 6:30 am on a Saturday and Sunday morning.

Implementation of the action:

Item 1 must be in place by no later than 7th February 2015.

This notice offers you the opportunity to avoid the issue of a Community Protection Notice.

- * "Conduct" includes a failure to act -
- * "Conduct" on, or affecting, premises that a person owns, leases, occupies, controls, operates, or maintains, is treated as conduct of that person.

IMPORTANT NOTICE

A Community Protection Notice - will be issued unless your conduct ceases to have the detrimental affect referred to above. Non-compliance with a Community Protection Notice carries criminal sanctions and can lead to a criminal record.

Failure to take all reasonable steps or failure without reasonable excuse to comply with a Community Protection Notice can lead to seizure and forfeiture of items, default works and recovery of costs and/or a fine of up to £2,500 in relation to an individual or up to £20,000 in the case of a body.

Non-compliance may also result in the issue of a fixed penalty notice in the sum of £100.

Authorised Officer: Mark Marshall

Name

Signature

Date

.....

Date: 19th February 2015

Mosstafa Blamane



Our Ref: MM/CLF

Direct Line: (01253) 478493

Email: mark.marshall@blackpool.gov.uk

Dear Mr Blamane

Re: Licensing Conditions- WA00120

I write further to my previous visits to your premises, Los Gringos, 1 Dickson Road at 04.55hrs on the 15th February 2015. Two staff members were present who gave their details as;

Zak El Harak 15/12/1992

Yousef Amri 04/06/77

The purpose of the visit was to check compliance with conditions on the Premises licence and to ensure that the requirements were in place. It was very evident that neither of the staff members could operate the CCTV as I asked Zak if he could operate the CCTV and provide recordings if required, he confirmed that HE COULD NOT.

A condition on your licence is that;

A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises is 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 data or footage reproduction should be almost instantaneous.

Clearly if there is the need for the Police or other Authorities to request these images it will be essential that staff members on site have the ability to provide such images, especially where offenders could be in custody following incidents inside or outside the premises. If there is a high risk time when incidents could occur it is between 0300 and 0600.

On the basis that hot food was being served at the time of my visit, the visit was within Licensable hours and the requirement to produce images on request could not be achieved by either staff member it could be argued that this is a breach of your premises licence condition (Annex 2 Condition 14) as detailed above.

Public Protection Division | Community and Environmental Services Department | Blackpool Council | Number One | Bickerstaffe Square | Talbot Road | Blackpool | FY1 3AH

Post to: Blackpool Council | PO Box 4 | Blackpool | FY1 1NA

From: Danny Stephenson
Sent: 01 April 2015 11:07
To: 'tareq@live.co.uk'
Subject: Dickson Road Takeaway's

Dear Tariq

You contacted the Council to request a meeting on the week commencing 23/3/15 with regards to your concerns around a review that has been submitted for some of the takeaway's on Dickson Road you suggested you had been approached by the Licence Holders of Los Gringos, Pizza Luigi and Amir's formerly Al Goucha to speak on their behalf as the Licence holders are unable to attend.

This was informally agreed by Mark Marshall that yourself and representatives of the other Takeaways could attend Bickerstaffe House on Monday the 30th of March 2015.

Following on from Mondays discussion the 30th March 2015 attended by Mark Marshall, Ben Reynolds (Police), Danny Stephenson, Tariq Albattikhi, Hamid Mechnan, Sarj Alesh and Amir Abdun with yourself acting as spokesperson on behalf of the other Takeaway representatives around the general management structure and current working practices at the late night Takeaways on Dickson Road, you offered some resolutions which you were prepared to formalise, (impose conditions on the Licence).

- 1, Staff on duty when visits occur demonstrate lack of knowledge or understanding of CCTV recording system as suggested by Sarjalosh and agreed by other representatives all staff to be trained and competent in the full operation of CCTV recording and images to be produced within 1 hour of request
- 2, Tariq suggested extra Door staff on duty throughout the shift during busy periods (suggestion 2 staff per store 3-7 am or close of play on busy times at weekends and special events) Sarjalosh expressed concern around this due to cost implications however all representatives agreed this was needed going forward.
- 3, Danny Stephenson suggested daily Schedule to be implemented for regular litter patrols of exterior areas as per annex 2 of current licensing conditions (suggestion minimum 4 patrols on busy days, 2-3 patrols on quiet days) this was agreed by all present.
- 4, Danny Stephenson suggested all stores to fulfil legal obligation of having a registered Waste Carrier in place this was agreed by all present.
- 5, Danny Stephenson suggested to prevent confusion all stores to display current and valid Waste Transfer Notices (or at least be able to produce one) this was agreed by all present.
- 6, In the interest of managing customers safely it was discussed around the room Amir's formerly Al Goucha to start the practice of having only one entrance(Amir agreed and will decide which entrance is best for the store) this was also agreed by Sarj Alesh.
- 7, Tariq suggested all stores to instigate compliance training (to be discussed and arranged for the near future and courses will be possibly be offered by Council).
- 8, Danny Stephenson suggested better and consistent Waste Management practices implemented with immediate effect (for example correct receptacles used, no clutter in stores and not deposited on footways) this was agreed by all present.

Please note the areas discussed and agreed for implementation and reiterated by Mark Marshall and Ben Reynolds that this will not prevent the review from taking place or any final decision that is made and that these are practices that should already be in place.

Nb as discussed will you please ensure the other stores are able to view this email.

Tariq it would be a good idea for you to submit a written proposal of the changes you think would be necessary, this way we can lodge these with the Committee as 'Voluntary Proposals' this way they can consider the appropriateness' and impose them as conditions if they adequately promote and safeguard the Licencing objectives.

Regards

Danny Stephenson

Commercial Waste Enforcement

Public Protection Division

Community and Environmental Services

Bickerstaffe House, Number One Bickerstaffe Square, FY1 3AH

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Blackpool Council Licensing Service

Representation made by a Responsible Authority
In support of an application for the Review of an existing
Premises Licence or Club Premises Certificate

Responsible Authority making representation

Name of Responsible Authority	LANCASHIRE CONSTABULARY			
Name of Officer <i>(please print)</i>	PC 3127 Ben Reynolds			
Signature of Officer				
Contact telephone number	01253 604079			
Date representation made	07	04	15	
Do you consider mediation to be appropriate				NO

Name of Responsible Authority / Applicant who requested a review of this Licence

Blackpool Council Licensing Authority

Premises Details

Premises Name	Los Gringos
Address	1 Dickson Road
	Blackpool
Post Code	FY1 2AX

Details of your representation in support of the review application
(Please reference & attach supporting any documentation)

I am in receipt of a review application submitted by Blackpool Council Licensing Authority for the above premises and on behalf of the Chief Officer of Police I wish to make a representation in support of that review.

Due to the make-up of Blackpool's night time economy much of the trade migrates toward the late night licensed premises in and around the area of Dickson Road and Springfield Rd. It is in this area that this takeaway sits along with two other takeaways which are also subject to review. Once the on-licensed premises close the three takeaways form an area which prolongs the night time economy beyond 5am and 6am. In doing this they have become a magnet for crime and disorder which impacts significantly on the resources of Lancashire Constabulary as officers are required to remain in the area in order to police the customers frequenting the takeaways and prevent regular occurrences of what vary from minor skirmishes to serious assaults. It is only when officers have successfully ushered the customers away from the area into taxis etc. that normal policing can continue and the area becomes less resource and demand intensive. I attach a formal statement from PC 246 Cross in support of this view.

It is the opinion of Lancashire Constabulary that Los Gringos contributes to these issues briefly outlined above and completely support Blackpool Council Licensing Authority in this process.

Witness Statement

(CJ Act 1967, s.9 MC Act 1980, s.s.5A (3a) and 5B MC Rules 1981, r.70)

Statement of **PC 246 CROSS**

Age if under 18 **Over 18** (if over 18 insert "over 18"). Occupation **Police Constable**

This statement (consisting of **3** 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 **1st** day of **April 2015**

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

Signature

I am Police Constable 246 Cross serving with Lancashire Constabulary currently attached to Team 1 OSU West Division, based at Blackpool Central Police Station. Most weekends there are a number of patrols solely dedicated to patrolling the town centre either on foot or in liveried personnel carriers, the dedicated name for this on-going operation is ASLAN. My team and I are often tasked with patrolling the town centre at the weekends as part of operation ASLAN and have sole responsibility for policing the town centre after 3am, once all other dedicated patrols have left. One of our main areas of responsibility in the town centre is the area of Dickson Road, directly at the top of Queen Street.

I have been asked to submit a statement regarding the effects of the late night economy having extended opening hours, post 3 am, in the area of Dickson Road, Blackpool immediately in the vicinity of Flamingos night club and several late night take aways. This area is often a problem for us as several roads converge on this area, there are several take ways open post 3 am, it serves as a taxi rank and Flamingos is the main nightspot that remains open after all the others have closed. These combined elements create disorder and frequent fights break out amongst the late night revellers.

Signature

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Firstly, with flamingos being open later than any other nightspot most of the revellers in left in the town centre area at normal closing time head there to end the night. Consequently you can often find people who have been drinking heavily for 12 + hours at the venue and when they leave they are extremely intoxicated. They then leave the nightspot and head to the take aways to order food or simply hang around.

Secondly, you can often find people of all ages who have not been out into town but come to the area to hang around the take aways and mix with the drinkers. This then becomes a flash point as the takeaways not only attract groups or individuals from Flamingos, but also people heading back to their hotels, locals on their way home and people waiting or queuing for a taxi. Frequent fights and disturbances are often broken up by colleagues and I before they become serious.

Thirdly, we often intervene in disturbances that occur in the road, which in itself creates public and officer safety problems and concerns as traffic does not always stop. We have also witnessed near misses as drunks hanging around the takeaways stagger in and out of the road as moving traffic goes past.

These combined elements mean that my team often solely concentrates its efforts in this area. This creates a strain of resources as it takes several officers to deal with this area effectively and so other vulnerable areas are not policed as effectively as they should be.

A reduction in the hours that these premises are licensed to open to would help alleviate the problem as it would not attract the sheer volume of people that arrive in the area post 3 to 4 am and would 'free up' resources that are needed elsewhere on busy weekends both in and out of the holiday season. It would also discourage members of the public from going to the area to mingle

Signature

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with the revellers and adding to the problem as without the takeaways there would be no attraction for them to do so. I also feel that given that there are a number of residential properties and hotels nearby that the noise and disturbances created in the area during the small hours is unacceptable. As a footnote my teams usual tour of duty ends at 6 am and this area is often still busy with people as we are leaving, further putting a strain on resources with patrols either finishing late or patrols from the early turn shift dealing with the aftermath.

Signature

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Blackpool Council Licensing Service

Representation made by a Responsible Authority
In support of an application for the Review of an existing
Premises Licence or Club Premises Certificate

Responsible Authority making representation

Name of Responsible Authority	Health and Safety			
Name of Officer <i>(please print)</i>	Gareth Shaw			
Contact telephone number	478315			
Date representation made	08	04	2015	
Do you consider mediation appropriate			YES	NO

Name of Responsible Authority / Applicant who requested a review of this Licence

Licencing Authority

Premises Details

Premises Name	Los Gringos,
Address	1 Dickson Road
	Blackpool
	Lancashire
Post Code	FY1 2AX

Details of your representation in support of the review application

(Please reference & attach supporting any documentation)

The Health and Safety Authority would like to support this review by showing a history of poor health and safety management.

A full chronology of dealing with this premise will be submitted as additional evidence as soon as it has been collated and officers return from leave.

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