

# 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  
in 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- PIZZA LUIGI** (Pages 1 - 38)

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

**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](mailto: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](http://www.blackpool.gov.uk).

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Services
<b>Date of Meeting :</b>	23 <sup>rd</sup> April 2015

## **APPLICATION TO REVIEW A LICENCE – Pizza Luigi**

### **1.0 Purpose of the report:**

1.1 To consider an application by the Licensing Authority to review the licence issued in respect of Pizza Luigi, 3A Dickson Road Blackpool.

### **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 Pizza Luigi, 3A Dickson Road Blackpool has the benefit of a Premises Licence authorising the provision of late night refreshment 23.00 – 05.00 hours daily. On 12<sup>th</sup> 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 At the time the application was submitted the licence holder was Soliman Salama. He had held the licence since January 2015. On the 19<sup>th</sup> March 2015 the licensing service received an application from Mohamed Abdelkhalek to transfer the licence into his name. Mr Abdelkhalek will be the sixth licence holder since the licence was first issued in July 2007.

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 July 2007 and has the following conditions endorsed:

### **Annex 2 - Conditions consistent with the Operating Schedule**

- 1 The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities. CCTV recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the enforcement authorities.
- 2 At any time the premises are open to the public after 0300, the premises licence holder shall employ one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary.
- 3 Any individual employed on the premises to carry out a security activity must be licensed by the SIA.
- 4 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 5 Frequent collection of all litter dropped within the vicinity of the licensed premises to be collected and removed at the licence holder's expense at a frequency of not less than 60 minute intervals during opening hours. This includes washing away to the gutter any spilled food. Litter shall include any used cigarette material that has been discarded by staff and customers.
- 6 The premises licence holder shall provide suitable containers for the storage of waste (to include waste oil), which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. These containers shall be emptied on a regular basis by a Licensed Waste Carrier and Waste Transfer Notes shall be provided to any authorised officer of Blackpool Council as and when required.
- 7 The licensee shall ensure that staff arriving before 0900 or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.
- 8 Noise from any mechanical ventilation or refrigeration plant shall be inaudible within the nearest sensitive properties or, at the discretion of the Local

Authority, shall not exceed some other pre-agreed limit, which does not cause unreasonable disturbance to the residents of these properties or their guests.

9 The volume of any recorded music shall not be played at a level that predominates over other activities within the premises and in turn, shall not cause a nuisance or disturbance to any property within close proximity.

10 The licence holder shall ensure that adequate ventilation is provided, so as to ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to properties within close proximity.

11 The collection and disposal of bottles and refuse should not take place externally between the hours of 2200 - 0800.

12 Any external light source associated with the premises shall not cause a nuisance or disturbance to any property within close proximity.

4.5 Does the information submitted include any exempt information? No

**4.6 List of Appendices:**

Appendix 4a: Application for a Review of a Premises Licence  
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

# 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](http://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.

<b>I</b>	Mark Marshall
----------	---------------

[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*

<b>Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.</b>									
<b>Premises Name and Address</b>	Pizza Luigi								
	3A Dickson road								
	Blackpool	<b>Post Code</b>	F	Y	1	2	A	X	
<b>State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)</b>									
<b>Premises Licence or Club Premises Certificate Reference Number (if known)</b>								WA0166	

### *Part 2 – Applicant details*

**I am:**

<b>1) an individual, body or business which is not a responsible authority</b>	<small>Please tick</small> <input type="checkbox"/>
<b>2) a responsible authority (please also complete 2C below)</b>	<input checked="" type="checkbox"/>
<b>3) a member of a club to which this application relates (also complete section 2A below)</b>	<input type="checkbox"/>



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

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

**(2B) Other Applicant or Representing Body**

<b>Name</b>							
<b>Address</b>							
	<b>Post Code</b>						
<b>Telephone No.</b>							
<b>Email Address</b>							

**(2C) Responsible Authority applicant**

<b>Name</b>	<b>Mark Marshall</b>									
<b>Address</b>	Bickerstaffe House									
	Number One Bickerstaffe Square									
	<b>Blackpool</b>		<b>Post Code</b>		<b>F</b>	<b>Y</b>	<b>1</b>		<b>3</b>	<b>A</b>
<b>Telephone Number</b>	<b>01253 478349</b>									
<b>Email Address</b>	<b>Mark.marshall@blackpool.gov.uk</b>									

### 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)**

Pizza Luigi is located on Dickson Road directly adjacent to the exit door of Flamingos and next door to Funny Girls. The management of this premise has been causing considerable concern for the local authority for some time.  
Serving intoxicated members of the public socialising from nearby late night Licensed Premises on a frequent basis more apparent during the early morning hours of a Friday and Saturday.

A business servicing the night time economy requires quite careful management and Pizza Luigi's style of approach is one which is neither careful nor managed and operates with complete disregard for public safety and Environmental impact of the locality.

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. 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.

Various visits have since taken place giving the owners opportunity to rectify problems observed and raised.

On the 29<sup>th</sup> June 2014 following up from a request via Street Cleansing raising concerns around the amount of black sacks containing commercial waste that are continually being deposited on the front street by the public street litter bin.

A visit was arranged with multiple departments inclusive of Licensing, Health and Safety, Food Hygiene and Commercial Waste.

As a result of this visit several issues were identified one being that the owner at the time being a Mr **Youcef Amri** was not fulfilling his legal requirements by having the correct Waste Management in place thus resulting in no Legal Authoritative Documents to state that he is legally allowed to deposit controlled commercial waste in black bags by the public street litter bin on Dickson Road resulting in a breach of his Duty of Care.

At this point **Mr Amri** was issued with a fixed penalty notice (DOCUMENT 1) for the misuse of waste receptacles contrary to section 47 (ZA) of the EPA 1990.

LS/F/009/14/3

2/10/14 This was undertaken as a following up visit to identify if issues raised in the previous visit had now been complied with. On this occasion **Mr Amri** had the relevant documentation in place for Waste Management however the correct practice was still not being implemented.

On the immediate exterior it was evident that **Mr Amri** was also not fulfilling one of his License requirements as the area was also littered with various food debris emanating from his store, on this **Mr Amri** was given a verbal warning to implement better working practices around his License conditions and his Waste Management one of these being to make a regular litter patrol and to clear and spilled or discarded refuse to the outside area around his Business and the activity of continually depositing black bags by the street litter bin was to cease.

On this visit it was also observed that a large number people from the dispersal of Flamingos were congregating to the front of his business.

Mr Amri was then advised that we would be revisiting in a couple of weeks to ensure in his compliance.

22/10/2014, Site visits further advice and education given verbally to **Mr Amri** regarding performing regular litter patrols as per licensing conditions.

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

Regular litter patrols as per licensing conditions still not implemented outside area littered with debris.

5/12/2014, Owing the business now being under new ownership further advice and education given verbally to the new owner a **Mr Mohammed Bedwi** at the time to implement check sheets for completed litter patrols, being that there was no documentation in place to state who the registered waste carrier is for the Business Mr Bedwi was advised that this is a legal requirement and would need to be rectified with immediate effect.

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 arriving from various venues within the town 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, door staff at Flamingos unable to close doors to premise due to attempting to contain disorder outside as no police presence observed after 5am, individuals were observed urinating in the street, further instances of mismanagement of waste in the form of illegal depositing of controlled commercial waste in black bags not in the correct receptacle contrary to section 47 EPA 1990.

5/2/2015, (Document 2) CPN notice issued. On this occasion given that after Mr Bedwi had been strongly advised to implement the correct waste management by having the correct Legal documentation in place to state he has a registered Waste Carrier to remove his waste.

Given that after several breaches on a number of occasions under waste management and after also observing CCTV footage Mr Bedwi was also on this occasion issued with a Fixed Penalty Notice (DOCUMENT 3 ) for failure to produce authority contrary to Section 34 (Duty of Care) EPA 1990 and Section 5 B paragraph 2 Control of Pollution Act 1989 (amended).



Photograph showing staff from Pizza Luigi crossing road to deposit black bags by street litter bin on 18<sup>th</sup> Jan 2015 at 06.22hrs.



Photograph showing same staff from Pizza Luigi about to deposit waste by street litter bin.



Photograph showing staff from Pizza Luigi returning to store after depositing black bags contrary to section 47 and section 34 of the EPA 1990.



Photograph showing a disorder directly outside Store at 04.09hrs on the 31<sup>st</sup> Jan 2015.



Second photograph showing another incident of disorder outside store an hour later on the same day on the 31<sup>st</sup> of Jan 2015 at 05.01hrs

LS/F/009/14/3

## **Conclusion.**

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.

Pizza Luigi's takeaway and the style of management and supervision practices that are currently in place are of such inadequacy that it is clearly evident of 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.

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.

DOCUMENT 1, Fixed Penalty Notice 0055

DOCUMENT 2, CPN Notice

DOCUMENT 3, Fixed Penalty Notice 01007



Empty rectangular box for providing 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 detailed information.

**Part 4 – Other relevant information**

<b>Have you made an application for review relating to this premise before?</b>	Please tick		
	Yes	No	
<b>If yes please state the date of that application</b>	Day	Month	Year

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

--

<b>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.</b>	Please tick	<input type="checkbox"/>
<b>I understand that if I do not comply with the above requirements my application will be rejected</b>		<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.**

<b>Signed</b>	
<b>Print Name</b>	
<b>Capacity</b>	
<b>Date</b>	

<b>Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 6)</b>												
<b>Title:</b>	<b>Mr</b>	<b>Mrs</b>	<b>Miss</b>	<b>Ms</b>	<b>Other</b>							
<b>Forenames</b>				<b>Surname</b>								
<b>Address for Correspondence associated with this application</b>												
					<b>Post Code</b>	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table>						

<b>Telephone Number</b>		<b>Mobile Number</b>	
<b>E-Mail Address</b>			

### 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.

Summary: FPN Ref: 0055 - Offence: 1 Offences in...

Reference: 1598911                      Status: Payment Pending (Discount Rate)  
 Date Created: 30/Jun/2014 08:27      Created By: Danny Stephenson  
 Date Closed:                              Allocated To: Danny Stephenson

Details

Offenders Name: Youcef Amri  
 Offenders Address: Odeon Tandoori  
 3A Dickson Road  
 Blackpool  
 FY1 2AX  
 Name of parent or guardian (if a child):  
 Issuing Officer: Danny Stephenson  
 Assisting Officer:  
 Date and Time Offence Occurred: 29/Jun/2014 05:20  
 Location of Offence: Odeon Tandoori  
 3A 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: presenting waste by street litter bin in incorrect receptacles.  
 Fixed Penalty Charge: 60  
 FPN Reference: 0055  
 RIA Number:  
 Neighbourhood: PROMENADE & TOWN CENTRE NEIGHBOURHOOD  
 Fine increases on:: 13/Jul/2014  
 Full Fine Cost: 100  
 Paris Reference:  
 FPN Paid: No  
 View FPN via RIA Letter:  
 Create Waive letter:  
 Type of Appeal:  
 Resolution:

Notes:  
 30 Jun 08:32 System Payment Pending (Discount Rate)  
 30 Jun 08:30 Danny Stephenson Details Entered  
 30 Jun 08:30 Danny Stephenson Accepted  
 30 Jun 08:27 Danny Stephenson Created

Date Printed: 01/Jul/2014 09:07

**Notice of Opportunity to Pay Fixed Penalty Notice**

Alleged Offender: YOUCEF AMRI  
Address: 3A DICKSON ROAD  
BLACKPOOL Post Code: FY1 2AX  
Issued By: D. STEPHENSON Cost Code: P486017301  
On (Date): 29<sup>TH</sup> JUNE 2014  
Offence Location: FRONT OF PROPERTY  
Post Code: FY1 2AX  
Details of Offence [Overleaf (A to N)] I. MISUSE OF  
WASTE RECEPTACLES, NO WASTE  
MANAGEMENT,

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.

WARNING NOTICE

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

To: Mr Abdulla Al-ogaili  
Address: 46 South King Street, Blackpool FY1 4NJ  
Premises: Pizza Luigi 3a 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 7<sup>th</sup> 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

.....

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

**Summary: FPN Ref: 01007 - Offence: G Failure to produce...**

**Reference:** 1820929      **Status:** Paid  
**Date Created:** 06/Feb/2015 09:43      **Created By:** Danny Stephenson  
**Date Closed:** 19/Feb/2015 12:19      **Allocated To:** Danny Stephenson

**Details**

**Offenders Name:** Mohammed Bedwi  
**Offenders Address:** Al Goucha  
 1A 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 18:55  
**Location of Offence:** Al Goucha  
 1A Dickson Road  
 Blackpool  
 FY1 2AX

**Location of Offence Notes:** Pocket Note Book Entry  
**Offence type:** G Failure to produce authority (Waste Transfer Notes)  
**Details of the offence:** nb address is pizza luigi @ 3a dickson road. depositing black bags by street litter bin on several occasions without authority. (wtn)

**Fixed Penalty Charge:** 180  
**FPN Reference:** 01007  
**RIA Number:**  
**Neighbourhood:** PROMENADE & TOWN CENTRE NEIGHBOURHOOD  
**Fine increases on::** 19/Feb/2015  
**Full Fine Cost:** 300  
**Paris Reference:** 037279  
**FPN Paid:** Yes  
**View FPN via RIA Letter:**  
**Create Waive letter:**  
**Type of Appeal:**  
**Resolution:**

**Notes:**

19 Feb 12:19 Danny Stephenson Paid  
 06 Feb 09:49 System      Payment Pending (Discount Rate)  
 06 Feb 09:48 Danny Stephenson Details Entered  
 06 Feb 09:48 Danny Stephenson Accepted  
 06 Feb 09:43 Danny Stephenson Created

Date Printed: 27/Feb/2015 12:31



**Notice of Opportunity to Pay Fixed Penalty Notice**

Alleged Offender: MOHAMMED BEDWI  
Address: 3A DICKSON ROAD  
BLACKPOOL Post Code F712AX  
Issued By: D. STEPHENSON Cost Code: NR61037331  
On (Date): 5TH FEBRUARY 2015  
Offence Location: FRONT STREET BY LITTER  
RIN (BLACK BAGS) Post Code F712AX  
Details of Offence [Overleaf (A to N)] G FAILURE TO  
PRODUCE AUTHORITY (WITH)  
DUTY OF CARE FOR DEPOSIT OF BAGS

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.

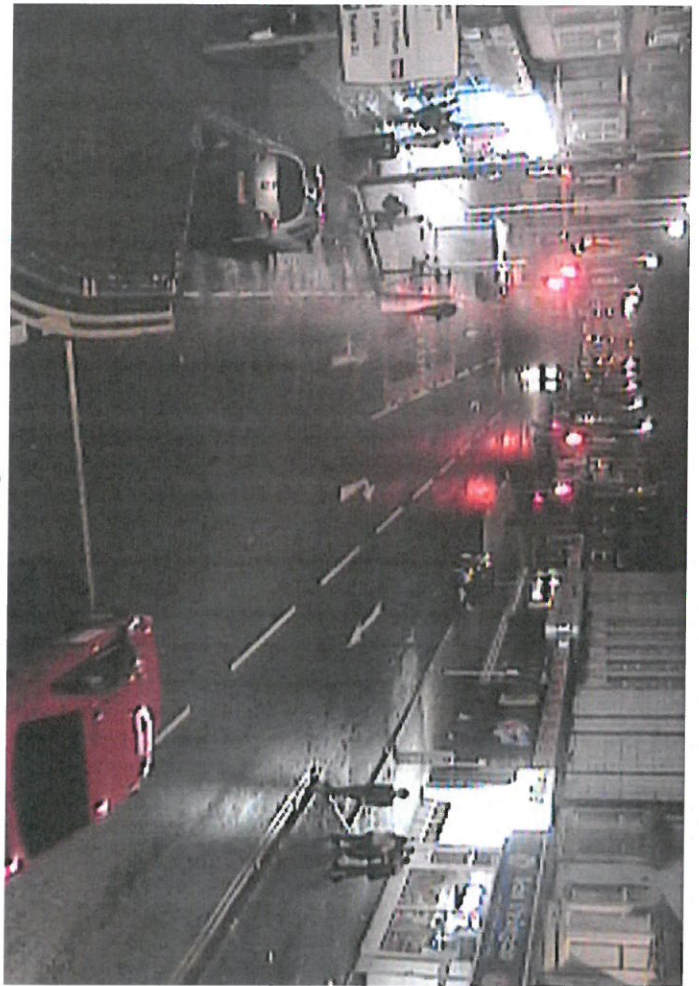
**Blackpool Council, Customer First Centre, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF**

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.

J109795 02/15

PIZZA LUIGI

06:22 HRS





7

3

24/1/15



2

1

06:58 WASTE TAKEN TO  
DIFFERENT LOCATION



3

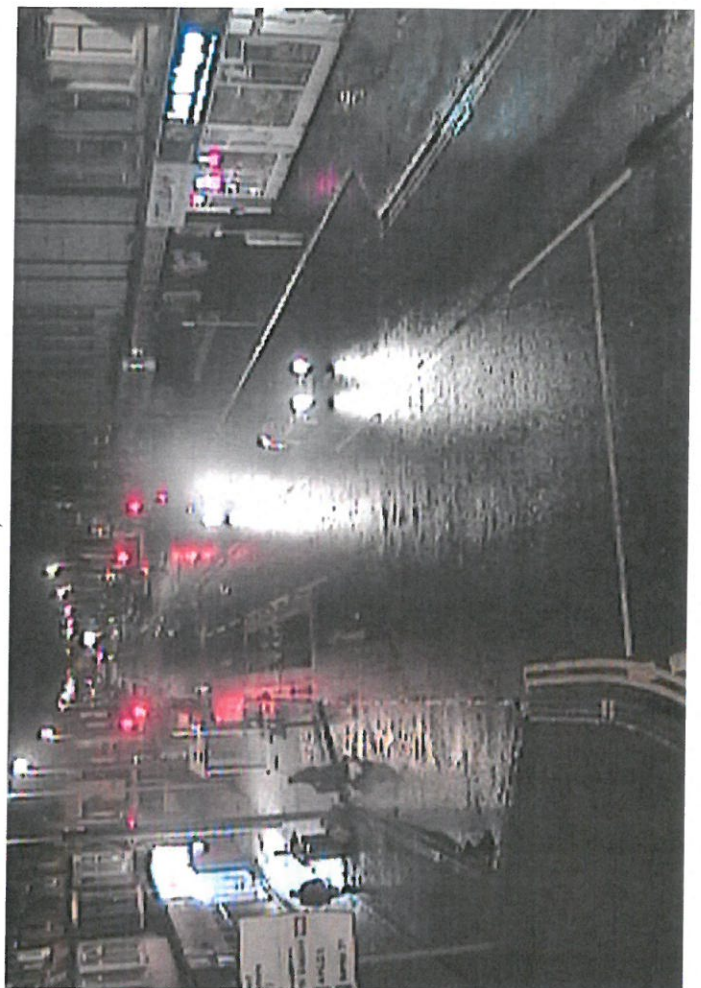
25/1/15



2



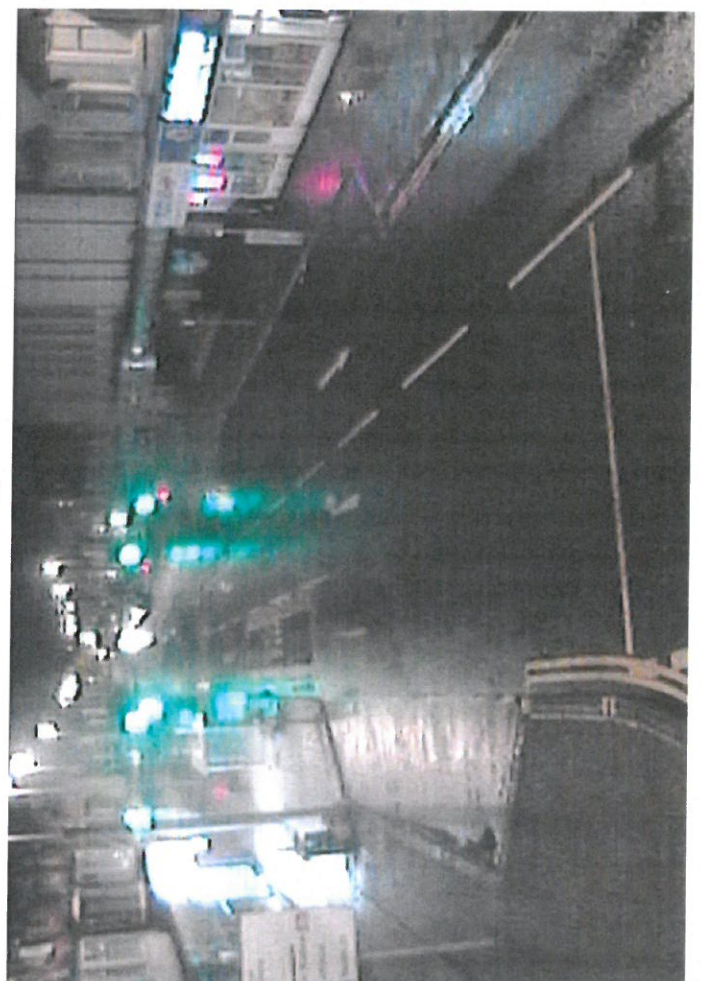
1



4

7

17/1/15

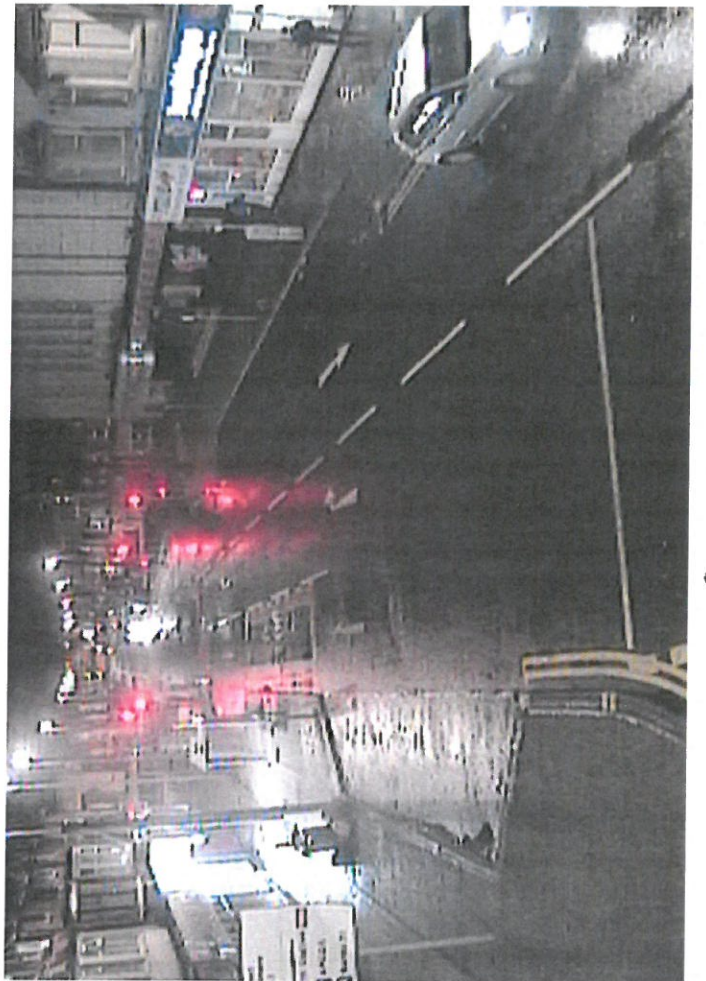


2

1

Pizza Luigi

17/1/13



5

**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 30<sup>th</sup> of March 2015.

Following on from Mondays discussion the 30<sup>th</sup> 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**

**TEL: 01253 478497**

**M: 07827255164 E: [danny.stephenson@blackpool.gov.uk](mailto:danny.stephenson@blackpool.gov.uk)**



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	<b>LANCASHIRE CONSTABULARY</b>		
Name of Officer <i>(please print)</i>	PC 3127 Ben Reynolds		
Signature of Officer			
Contact telephone number	<b>01253 604079</b>		
Date representation made	<b>07</b>	<b>04</b>	<b>15</b>
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	<b>Pizza Luigi</b>
Address	3a 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 Pizza Luigi 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

Page 33 Signature witnessed by

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

Page 34 Signature witnessed by

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	<b>Health and Safety</b>			
Name of Officer <i>(please print)</i>	Gareth Shaw			
Contact telephone number	478315			
Date representation made	<b>08</b>	<b>04</b>	<b>2015</b>	
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	<b>Pizza Luigi,</b>
Address	3a 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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