

# Blackpool Council

17 January 2017

To: Councillors Hunter, Hutton and Scott

The above members are requested to attend the:

## LICENSING PANEL

Wednesday, 1 February 2017 at 10.00 am  
in Committee Room B, Town Hall, Blackpool

## A G E N D A

### 1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

### 2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

(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- AL AMIR (Pages 1 - 22)**

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Al Amir, Talbot Road
- c. ANNOUNCEMENT OF THE DECISION FOR THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Al Amir, Talbot Road

**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>	1 February 2017

## APPLICATION TO REVIEW A LICENCE – Al Amir

### 1.0 Purpose of the report:

1.1 To consider an application by Health and Safety to review the Premises Licence issued in respect of Al Amir, 37-39 Talbot 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 an application for a review of a Premises Licence has been received it must be considered by the Licensing Panel.

### 4.0 Background Information

4.1 Al Amir, 37-39 Talbot Road, has the benefit of a Premises Licence authorising recorded music 24 hours a day, live music 19.30 – 23.00, late night refreshment 23.00 – 03.00 and the sale of alcohol for consumption on and off the premises 17.00 – 03.00.

4.2 On 8 December 2016, the Licensing Service received an application from Health and Safety to review this licence on the grounds of the prevention of crime and disorder and public safety. A copy of the application is attached at Appendix 4a.

4.3 Representations in support of the review have been received from Lancashire Constabulary at Appendix 4b.

4.4 The licence holder is Mrs Shanaz Rashid and designated premises supervisor is Muhammad Rashid.

4.5 **Local policy considerations**

None

4.6 **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.

4.7 **Observations**

This licence has the following conditions endorsed upon it:

**Annex 1 - Mandatory conditions**

- 1 Alcohol shall not be sold or supplied except during permitted hours.

Permitted hours means:

- a) On weekdays, other than Christmas day, Good Friday, or New Year's Eve, 11am to 11pm
- b) On Sundays, other than Christmas Day or New Year's Eve 12noon to 10.30pm
- c) On Good Friday, 12noon to 10.30pm
- d) On Christmas Day, 12noon to 3pm and 7pm to 10.30pm
- e) On New Year's Eve, except on a Sunday, 11am to 11pm
- f) On New Year's Eve on a Sunday from 12noon to 10.30pm
- g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December)

The above restrictions do not prohibit:

- a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- f) The sale of alcohol to a trader or club for the purposes of the trade or club;
- g) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h) The taking of alcohol from the premises by a person residing there; or
- i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) The supply of alcohol for consumption on the premises to person employed there for the purposes of business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

- 2 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- a) He is the child of the holder of the premises licence.
  - b) He resides in the premises, but is not employed there.
  - c) He is in the bar solely for the purpose of passing to or from some part of the premises that is not a bar and to or from some part of the premises where there is no other convenient means of access or egress.
  - d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the sale and consumption of intoxicating liquor. However, an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- 3 No supply of alcohol may be made under the premises licence -
- a) At a time when there is no designated premises supervisor in respect of the premises licence,
- or*
- b) At a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
- 4 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 5 Any individual employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.
- 6 The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- a. Games or other activities which require or encourage, or are designed to require or encourage individuals to -
    - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined by section 159 of the Act);
  - c. Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - d. Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependant on -
    - i. The outcome of a race, competition or other event or process, or
    - ii. The likelihood of anything occurring or not occurring;
- 7 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 8 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 9 The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 year of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 10 The responsible person shall ensure that -
  - a. Where any of the following alcoholic drink is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- i. Beer or cider: ½ pint;
  - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
  - iii. Still wine in a glass: 125ml; and
- b. Customers are made aware of the availability of these measures.

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

- 1 The supply of intoxicating liquor will be by waiter/waitress service only and only to persons seated at tables.
- 2 Meals and substantial refreshment will be available at all times the premises are open to the public.
- 3 The licence holder and the DPS are to support and rigorously enforce a Challenge 21 Proof of Age policy. Any person who looks or appears to be under the age of 21 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:
  - (i) UK photo driving licence
  - (ii) Passport
  - (iii) Proof of Age Standards Scheme Card

OR any other nationally or locally approved form of identification which may be introduced in the future. If no suitable identification is provided, sale of alcohol to them will be refused. Signs promoting this policy shall be displayed in the premises.
- 4 All staff to have received suitable training in relation to the proof of age scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request.
- 5 A notice or notices shall be displayed in the premises where they can be clearly seen and read and will indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.
- 6 Another member of staff shall be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.
- 7 At least one Personal Licence Holder will be available, and able to attend at the premises if required, whenever the sale or supply of alcohol is being undertaken. The identity of this Personal Licence Holder will be known by all



persons engaged in the sale of supply of alcohol.

- 8 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.
- 9 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested.
- 10 Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises.
- 11 Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.
- 12 Off sales from the premises shall be in sealed containers only. Any unfinished bottles of wine must be recorked before being taken away from the premises.

4.8 Does the information submitted include any exempt information? No

4.9 **List of Appendices:**

Appendix 4a: Application for a review of the Premises Licence- Al Amir  
Appendix 4b: Representation from Lancashire Constabulary

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:***

Mark Marshall



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, Licensing and Health and Safety Manager
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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*

<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>	Al Amir								
	37-39 Talbot Road								
	Blackpool	<b>Post Code</b>	F	Y	1		1	L	L
<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>								PL1391	

### *Part 2 – Applicant details*

**I am:**

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

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

Please tick

<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>	Yes	No							
<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>	Mark Marshall												
<b>Address</b>	Health and Safety												
	Bickerstaffe House, 1 Bickerstaffe Square												
						<b>Post Code</b>	F	Y	1			3	A
<b>Telephone Number</b>	01253-478493												
<b>Email Address</b>	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	<b>X</b>
2) public safety	x
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)

### Introduction

On the 24<sup>th</sup> November 2016 I was working in company with Sgt Helen Parkinson and 2 Home Office Immigration Officers, Paul Cook and Karl Swayne.

The intention was to visit takeaways and medium size restaurants based around the town centre of Blackpool.

At approximately 17.40hrs we entered the Al Amir restaurant on Talbot Road, the premises were open for business and at this time there were two men sat at the bar drinking alcohol whilst waiting for a takeout order. Both of these men were known to me as they operate licensed premises in town. They confirmed in conversation that they were awaiting a takeout food order which they had paid £60 for and just having a beer while they were waiting.

At the same time I was approached by an Asian male wearing a black shirt and black trousers who asked how many it was for, I identified myself and confirmed we were not there to eat but to check the premises were complying with the conditions of its licence, to test some of the spirits on sale to ensure the ABV was correct and also to obtain some staff information, at this point I introduced the colleagues I was with.

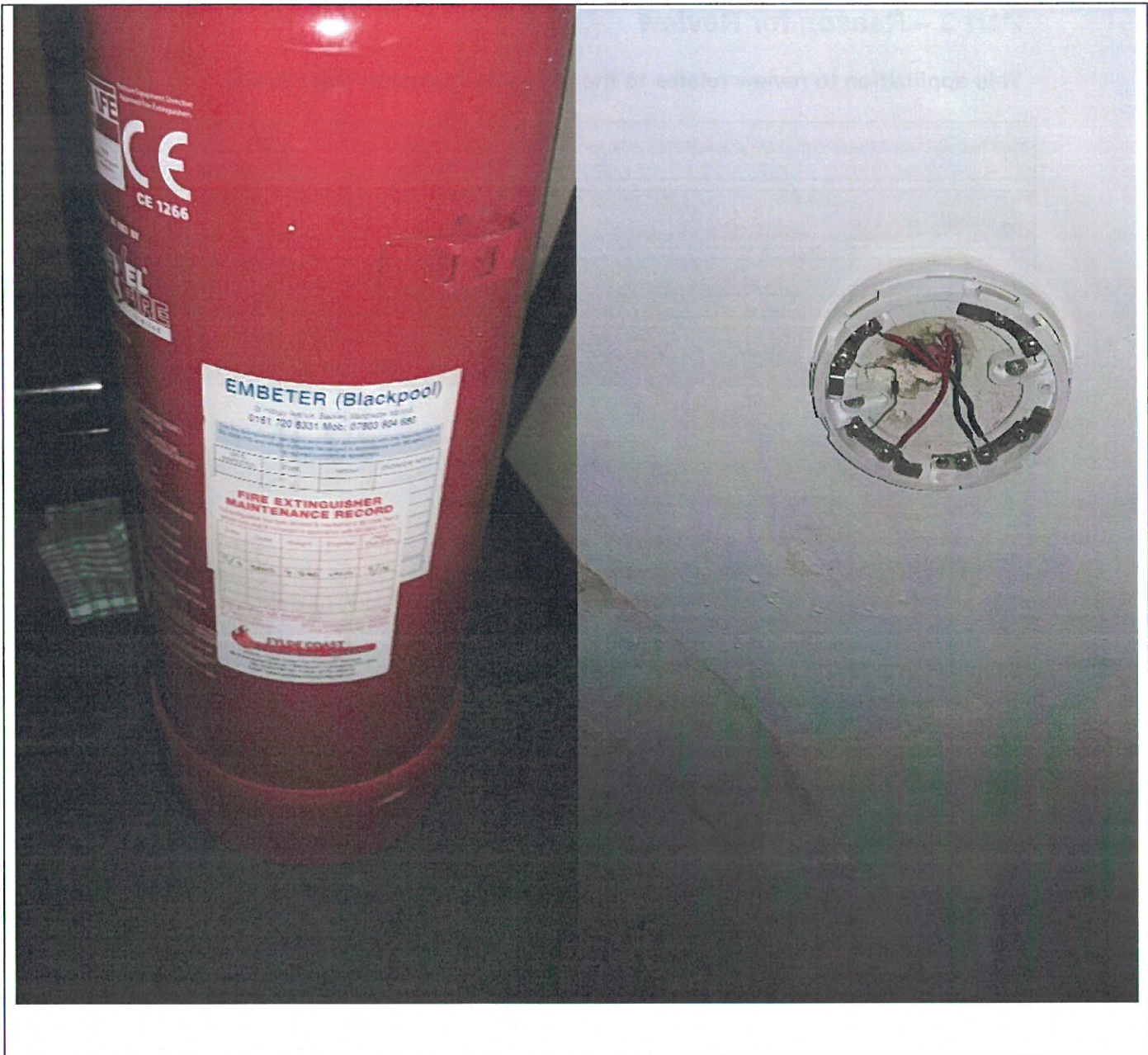
Within 5 seconds of this introduction the male ran towards the front door. It was reported by one of the immigration staff that he ran out so quickly that he was nearly knocked over by a bus; a busy bus stop is located immediately at the front of the premises on Talbot Road.

The customers at the bar were shocked with what had just happened and the disappearance of this staff member meant that there was only the chef left; he was busy preparing the customers food so we were left in sole control of the front of house.

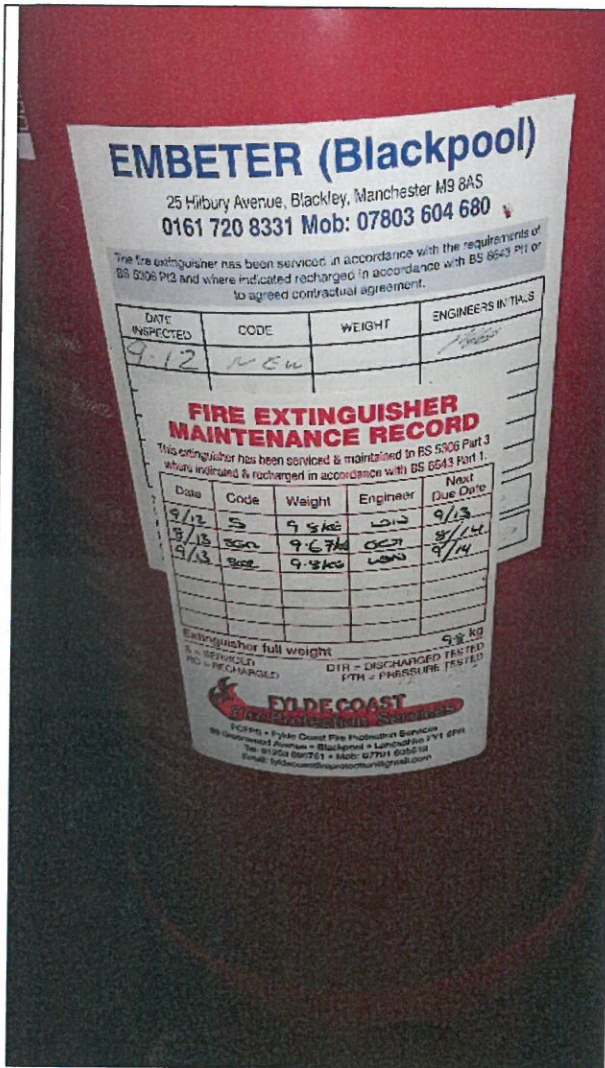
Sgt Parkinson and I began to have a look around the premises while the 2 immigration colleagues monitored the front of house, we went in the kitchen to find the CCTV system, we asked if the Chef knew how to use the system and he confirmed he did not.

Upstairs I discovered some concerns with the fire safety arrangements in that there was a defective smoke alarm in the gents toilets which had exposed electrical terminals and the fire extinguishers sited around the building were significantly overdue a service.









3 fire extinguishers were checked, 2 had a service due date of September 2014 and one had a service due date of September 2015.

At approximately 18.10hrs the DPS Muhammad RASHID turned up at the premises, at this point the front of house where customers were sat, cash and alcohol was stored had been unsupervised for half an hour, but for the officers at the premises monitoring the situation the cash and alcohol would have been vulnerable to theft and due the time of day, the busy town centre location the likelihood of such an occurrence would have been significant.

Mr Rashid was spoken to by the immigration officers and was only able to provide a first name and a mobile number for the male that ran out of the premises, details of the conversation will be provided by Paul Cook.

The text below has been provided by Paul Cook;

Good Morning Mark ,

On the evening of the visit I was asking Mr Rashid who the Gentleman was who absconded from the premises. He stated that his name was UMER a friend , but does not work for him. I asked him if he had any further details as in a full name and address for UMER , he said no. Whilst I was talking to him UMER had rang him, and Mr Rashid gave me his two mobile numbers, but was very nervous in relation to UMER.



I then asked if he had any records on site of his employees, he stated no they are with my accountant. I made him aware of the Current Civil Penalty legislation, that there is Potentially a fine of £20,000 per employee if found to be an employer of somebody who is working illegally in the United Kingdom

Sgt Parkinson and I enquired further about the CCTV to establish if it was recording so we could assist the Immigration staff to trace this male's identity, Mr Rashid confirmed that the CCTV was not recording.

I then checked some of the spirits behind the bar to ensure they had not been watered down or substituted, all the ABV checks were found to be in order.

### **Conclusion**

Important Licensing Conditions have been flagrantly ignored namely having a CCTV system that is appropriate for its purpose, the minimum standard should be at least saving images which can assist in the detection or prevention of crime .

Public Safety concerns were also disclosed in that live electrical terminals were exposed in the gents toilets and the firefighting equipment is substantially beyond its service due date.

At this stage in time we can only draw an inference that the male who ran out of the building was an illegal immigrant, the employer should be obtaining and confirming that individuals have the right to work in the UK, in this case the employer only had a first name and a mobile number which does not discharge his duties under the Immigration Act.

The employment of illegal workers opens all sorts other concerns from illegal human trafficking right through to labour exploitation, tax avoidance and in the worst case organised crime.

For Licensed Premises based in the town centre to be found in this position causes this Authority huge concern and I believe the premises have traded irresponsibly and in the view of the Authority making this application the licence should be revoked.

Please see Para 11.23 of the Section 182 Guidance;

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, 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.

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

**Part 4 – Other relevant information**

	Please tick	
<b>Have you made an application for review relating to this premises before?</b>	Yes	No
		X
<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 were and when you made them.

	Please tick
<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>	X
<b>I understand that if I do not comply with the above requirements my application will be rejected</b>	X

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

**Part 5 – Signatures** (please read guidance note 4)

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

<b>Signed</b>	
<b>Print Name</b>	Mark Marshall



<b>Capacity</b>	Licensing and Health and Safety Manager
<b>Date</b>	2 <sup>nd</sup> December 2016


<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>				
	<b>Telephone Number</b>	01253 478493			<b>Mobile Number</b>	07796994786				
<b>E-Mail Address</b>	Mark.marshall@blackpool.gov.uk									

## Notes for Guidance

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

LS/F/009/14/3

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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>	PS1747 Helen Parkinson		
Signature of Officer	 PS1747.		
Contact telephone number	01253 604074		
Date representation made	28	12	16
Do you consider mediation to be appropriate			NO
Name of Responsible Authority / Applicant who requested a review of this Licence			
Mr Mark Marshall – Health and Safety, Blackpool Council			
Premises Details			
Premises Name	Al Amir		
Address	37-39 Talbot Road		
	Blackpool		
Post Code	FY1 1LL		
Details of your representation in support of the review application (Please reference & attach supporting any documentation)			
<p>The Review is brought by Mark Marshall from Blackpool Council following concern raised at these premises during a recent visit. This application is made in support of this Review and the Police will present evidence that the Licensing Objectives of prevention of crime and disorder and public safety have been undermined.</p> <p>On 24<sup>th</sup> November 2016 I was working in company with Mr Marshall and Paul Cook and Karl Swayne from the Home Office Immigration Service. Our task was to conduct joint agency visits to certain takeaways and restaurants in Blackpool Town Centre.</p> <p>At approximately 16:40hours we attended Al Amir Restaurant on Talbot Road. On our arrival there were two customers sat at the bar drinking alcohol and one male stood wearing black trousers and shirt at the end of the bar who greeted us. There were no other customers in at that time. The male who greeted us, who is later identified as UMER, asked if we would like a table.</p> <p>We all identified ourselves and Mr Marshall informed him that we were there to conduct a visit</p>			

and check conditions are being complied with. UMER stated there were three people working in the restaurant that night and the others were in the kitchen. As we went to look in the kitchen UMER headed quickly towards the front door and subsequently ran straight out of it and across Talbot Road, narrowly missing being hit by a bus pulling away from the busy bus stop located outside the premises. UMER was not seen again that night.

The disappearance of UMER meant that the only staff member left in the premises was the chef, as when we went into the kitchen he was the only person present. Nobody was out front, effectively leaving us in sole control of the open bar and restaurant area. The chef was busy preparing food for the customers waiting at the bar. Two further customers walked in and sat down at a table but left after a couple of minutes when they realised there were no staff available to serve them.

Mr Marshall and I then went to look around the premises, which meant the Immigration officers looked after the restaurant. We went into the kitchen where we saw a CCTV monitor on a shelf. I asked the chef if he knew how the system worked but he didn't. During the Inspection Mr Marshall also pointed out defects with some of the fire alarms and also all fire extinguishers were overdue a service, some by two years.

As we were finishing the Inspection Mr Muhammad RASHID, the DPS for the premises arrived. The officer from the Immigration Service spoke to him whilst I was present to confirm the identity of his staff. Mr RASHID denied that UMER worked at the premises, stating he just likes to help out and be useful now and again but he isn't employed by him; this despite greeting us and asking if we wanted a table and being dressed in suitable work attire. He provided two mobile numbers for UMER but could not give any further details.

I then questioned Mr RASHID about the CCTV system at the premises. He confirmed that the monitor is connected to just the one camera covering the restaurant area from the back of the premises and that it doesn't record. He then confirmed that it has been this way since he had the licence back in 2011 and was aware that it should be recording.

Our visit lasted approximately an hour and for a significant proportion of it the restaurant/bar area was left unsupervised. The bar is open at the side for any person to just walk behind and is fully stocked with beers, bottles and spirits. The till, containing the takings, is also located behind the bar. If UMER was not a staff member, as claimed by Mr RASHID, then this area had been left open for anyone to help themselves even prior to our arrival.

The actions of UMER have led us to the conclusion that UMER is likely to be an illegal immigrant and further strengthened by the fact that Mr RASHID has no details for him.

The Police therefore have similar concerns to those raised by Mr Mark Marshall with regards to the lack of compliance with important Licensing Conditions. The minimum CCTV requirement is to have CCTV which records, which has been ignored for a number of years. CCTV is a key tool in the prevention of crime and disorder. Also the fact that a fully stocked bar was left unattended as well as a till containing money is irresponsible as it was left vulnerable to being stolen, which can in turn lead to further issues. Furthermore, the fact the fire extinguishers were overdue a service and some fire alarms are defective is of great concern for protecting the public from harm.

The employment of illegal workers is also of great concern to the police and can lead to further issues in terms of human trafficking and in some cases organised crime.

From the evidence presented during the visit the Police are of the opinion that the crime and disorder and public safety objectives are being undermined and fully support Mr Marshall in his Representation.

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