

Blackpool Council

25 July 2017

To: Councillors Humphreys, Hutton and Maycock

The above members are requested to attend the:

LICENSING PANEL

Wednesday, 2 August 2017 at 10.00 am
in Committee Room A, 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- FOOD LOUNGE (Pages 1 - 74)

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

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 :	2 August 2017

APPLICATION TO REVIEW A LICENCE – Food Lounge

1.0 Purpose of the report:

1.1 To consider an application by Lancashire Constabulary to review the Premises Licence issued in respect of Food Lounge, 22 Market Street.

2.0 Recommendation(s):

2.1 The panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

3.1 A review application must be determined by a Licensing 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, a review application must be determined by a Licensing Panel.

4.0 Background Information

4.1 Food Lounge, 22 Market Street has the benefit of a Premises licence authorising the provision of late night refreshment 23.00 – 04.30 hours daily.

4.2 On 6th June 2017 the licensing service received an application from Lancashire Constabulary to review this licence on the grounds of the prevention of crime and disorder and protection of children from harm. A copy of the application is attached at Appendix 4a.

4.3 Representations in support of the review have been received from the Licensing Authority (Appendix 4b) and the Child Protection Licensing Officer (Appendix 4c).

4.4 The licence holder is currently Curtis Marsden (an application to transfer the licence to Sajjad Sarwar was received on 12 June 2017 but was subsequently withdrawn)

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. Suspend the licence for up to three months
5. Revoke the licence.

4.7 **Observations**

This licence was first granted in April 2015. A review application was submitted in June 2016 although this did not proceed to a hearing as the licence was surrendered. Following discussions with the responsible authorities a further licence was granted to Curtis Marsden in November 2016. It is understood that following the closure application in 2017, Mr Marsden is no longer at the premises. In April 2017 the licensing service received an application to transfer the licence to Khalid Bijbij Bijbij. This application was withdrawn on 10 May 2017. Then on 12 June 2017 the Licensing

Service received an application from Sajjad Sarwar to transfer the licence into his name. This application was withdrawn on 20 June 2017 leaving Curtis Marsden as the licence holder.

This licence has the following conditions endorsed upon it:

Annex 2 - Conditions consistent with the Operating Schedule

- 1 The non-standard timings for Late Night Refreshment and Premises Opening Hours are as follows:
 - a) On the Friday to Monday of Easter, May, Spring and August Bank Holidays an additional hour will be permitted
 - b) On Christmas Eve, Boxing Day and New Year's Eve an additional hour will be permitted

- 2 CCTV, which complies with the following criteria, will be installed at the premises.
 - a) The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary.
 - b) The system shall display on any recording the correct time and date of the recording;
 - c) The system shall be recording during all hours the premises are open to the public;
 - d) VCR tapes or digital recording shall be held for a minimum of 28 days after the recording is made and will be made available to the Police for inspection upon request.
 - e) The system shall, as a minimum, record images of the head and shoulders of all persons entering the premises.
 - f) A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police, or any officer acting for a Responsible Authority, recent data or footage with the absolute minimum of delay when requested.

- 3 The licence holder shall notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.

- 4 Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.

- 5 The premises have installed a wall-mounted screen, no smaller than 32", mounted in a prominent position within the premises, so that patrons can view live-recorded CCTV footage.
 - 6 At any time the premises are open to the public after 03:00 hours, the premises licence holder shall employ a minimum of one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary.
 - 7 There will be no boxing machines in operation in the premises.
 - 8 An efficient queuing system will be in operation and the licence holder will arrange adequate supervision of any queue to prevent disorderly behaviour.
 - 9 There will be fixed seating in the premises for the benefit of customers.
 - 10 During the hours of licensable activities Mr Nabil Awadi will not attend the premises for any purpose. This will include the office area upstairs and any other rooms that are directly adjoined / linked to the premises. All these areas must be available for inspection during licensing hours.
 - 11 No persons under the age of 18 will be allowed on the premises after 23:00 hours unless they are a member of staff working at the premises at the time.
- 4.8 Does the information submitted include any exempt information? No
- 4.9 **List of Appendices:**
- Appendix 4a: Application
Appendix 4b: Representation from Licensing Authority
Appendix 4c: Representation from Child Protection Licensing Officer
- 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.

This page is intentionally left blank

LICENSING SERVICE

Appendix 4a

For Office use only

LalPac Application No.	
Licence Number	

**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
UNDER THE LICENSING ACT 2003**

Applicant Name:	PS1747 Helen Parkinson
------------------------	------------------------

Blackpool will be a Vibrant, Inclusive,
Healthy, Safe and Prosperous Town



Blackpool Council

BUILDING A BETTER COMMUNITY FOR ALL

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	Helen Parkinson
---	-----------------

[Insert name of applicant]

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	Food Lounge								
	22 Market Street								
	Blackpool	Post Code	F	Y	1	1	N	L	
State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)									
Curtis Marsden									
Premises Licence or Club Premises Certificate Reference Number (if known)								WA0254	

Part 2 – Applicant details

I am:

1) an interested party (please also complete sections 2A and 2B below)	Please tick
a) a person living in the vicinity of the premises	
b) a body representing persons living in the vicinity of the premises	
c) a person involved in business in the vicinity of the premises	
d) a body representing persons involved in business in the vicinity of the premises	
2) a responsible authority (please also complete 2C below)	X
3) a member of a club to which this application relates (also complete section 2A below)	

(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 Number											
E-Mail Address											

(2C) Responsible Authority applicant

Name	PS Helen Parkinson										
Address	Licensing Department, Blackpool Police Station, Bonny Street, Blackpool										
					Post Code	F	Y	1		5	R
Telephone Number	01253 604074										
E-Mail Address	Helen.parkinson@lancashire.pnn.police.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	x
2) public safety	
3) the prevention of public nuisance	
4) the protection of children from harm	x

Please state the ground(s) for review (please read guidance note 1)

The premises has recently been subject to a Closure Order for a period of 5 weeks under Section 80 of the Anti-Social Behaviour Crime and Policing Act 2014.

This follows a series of issues at the premises in relation to anti-social behaviour caused by youths, vulnerable young females being found in the upstairs office and also breaches of the licence. Police believe the main cause of the issues was lack of any strong management at the premises. The licence holder at the time being Mr Curtis Marsden.

Prior to the Closure Order, the business owner Mr Nabil AWADI tried to sell the business. The licence was transferred to a Spanish Male by the name of Mr Khalid BIJ BIJ BIJ BIJ, who had seen the business advertised for sale on ebay. Mr AWADI had transferred the licence to Khalid within 24 hours of him being in the Country. He could speak very little English and in a meeting I held with him, in company with Licensing Manager Mark Marshall, I had to use Google Translator to communicate with him.

Khalid knew nothing of the Closure Order application as Mr AWADI had failed to inform him of it and shortly after the Order was granted he withdrew his application, therefore the premises Licence Holder has reverted back to Curtis Marsden.

As a consequence the Police have very little confidence in the ability of the management to uphold the licensing objectives, particularly those around prevention of crime and disorder and protection of children from harm and its ability to prevent the previous issues from re-occurring

The Police hadn't submitted this review prior to the Closure Order having finished as there were issues surrounding the lease to the premises and enquiries were being made with the property owners as to what was happening with the lease. However, now that the premises is re-opened under the same management Police feel that it is necessary, in order to promote the objectives, that the licence is revoked.

Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 2)

Please see the attached Closure Order application as this contains all the evidence that was put to the Court surrounding the issues at The Food Lounge and subsequently the evidence the Police put to the Committee in relation to this review.

Part 4 – Other relevant information

Have you made an application for review relating to this premises before?	Please tick	
	Yes	No
		X
	Day	Month
If yes please state the date of that application	Year	

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


Please tick

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.	X
I understand that if I do not comply with the above requirements my application will be rejected	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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 4) If signing on the behalf of the applicant please state in what capacity.

Signature:	Capacity:	Date:		
	POLICE LICENSING	Day	Month	Year
		06	06	2017

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 5)

Title:	Mr	Mrs	Miss	Ms	Other					
Forenames					Surname					
Address for Correspondence associated with this application										
						Post Code				
Telephone Number					Mobile Number					
E-Mail Address										

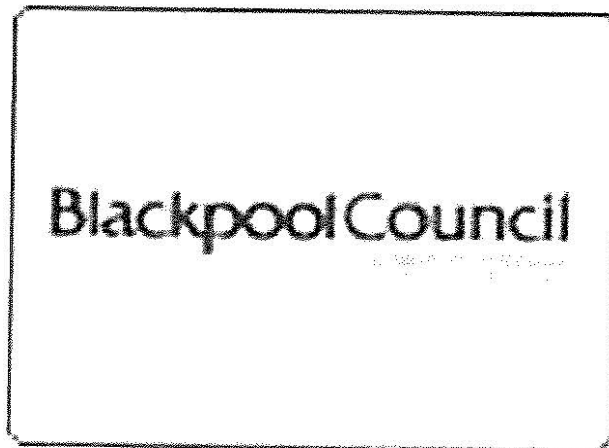
Notes for Guidance

1. The grounds for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems that are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
5. This is the address that we shall use to correspond with you about this application.



APPLICATION FOR CLOSURE ORDER

**SECTION 80 OF THE ANTI SOCIAL BEHAVIOUR CRIME AND
POLICING ACT 2014**



Applicant:

Blackpool Borough Council

Address:

The Food Lounge

22 Market Street

Blackpool

FY1

Occupant:

Nabil AWAD (aka Awadi)



Index

Schedule of Evidence to be relied upon by the applicant: Mark Marshall

Index Page

Document Number	Document Description	Page No
	Index	1
	Antisocial Behaviour Crime And Policing Act 2014 Forms <ul style="list-style-type: none"> • Closure Notice • Application For Closure Order • Closure Order of Magistrates • Consultation Document 	
	Certificate of Consultation	
	Notice of Intention to adduce Hearsay	
	Statements	
	Mark Marshall	
	James Martin (Police Inspector)	
	Laila Turki (Police Constable)	
	Lydia Robinson (PCSO)	
	Stephanie Gelson (Detective Constable)	
	Helen Parkinson (Police Sergeant)	
	Greg Edenfield (Manager MFA Bowl)	
	Unused Material	



**CLOSURE NOTICE MADE UNDER SECTION 76 ANTI-SOCIAL BEHAVIOUR,
CRIME AND POLICING ACT 2014**

1. I, Tim Coglean, authorised on behalf of the Chief Executive of Blackpool Borough Council am satisfied that evidence of Anti- Social Behavior has occurred in the last 3 months at the Food Lounge, 22 Market Street, Blackpool FY1 1EX

2. The above shown premises are subject to a **CLOSURE NOTICE** under section 76 of the Anti-Social Behaviour, Crime and Policing Act 2014. I am satisfied on reasonable grounds:

(a) that the use of this premises has resulted, or (if the notice is not issued) is likely soon to result, in nuisance to members of the public,

and that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.

3. **ACCESS TO THE PREMISES BY ANY PERSON IS HEREBY PROHIBITED UNLESS YOU ARE THE OWNER OR A PERSON WHO HABITUALLY RESIDES IN THE PREMISES**

4. An application for a **CLOSURE ORDER** under section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014, to close the premises to all persons, will be made at:

..... *Blackpool Magistrates Court* on *27th Apr 2017* (insert day and date of hearing) at *10.00* (insert time of hearing).

5. Should the Magistrates' Court decide to make a **CLOSURE ORDER** the premises **MAY BE CLOSED TO ALL PERSONS FOR A PERIOD UP TO 3 MONTHS**. The Magistrates' court may adjourn the hearing of the application for not more than 14 days to give time for any party with an interest in the premises to show why a closure order should not be made. If the Magistrates' Court adjourns the hearing it may order that the closure notice continues in effect until the end of the period of adjournment.

IT IS AN OFFENCE UNDER SECTION 86 OF THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 TO:

- (i) remain on or enter premises in contravention of a **CLOSURE NOTICE**
- (ii) obstruct a constable or authorised person who is effecting service of a closure notice or who is entering the premises or doing anything necessary to ensure that the premises is secure.

6. A person who commits an offence under section 86(1) or (3) of the Anti-Social Behaviour, Crime and Police Act 2014 is liable on summary conviction—

- (a) **to imprisonment for a period not exceeding 3 months, or**

or to both.

7. You may wish to take advice on the effect on you of this CLOSURE NOTICE. For such advice, please contact.....~~insert relevant details~~ MARK MARSHALL

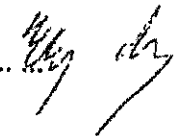
01253 478493

Date and Time of Closure Notice: 25.11.17 ... 15:00 hrs

Police Force or Local Authority: ...~~BIRMINGHAM~~... DUBLIN

Authorising police officer making the Notice: (Inspector/Superintendent name here).

.....

Signature  (TIM COGLAN) MARK MARSHALL (PUBLIC PROTECTION)

Contact address of authorising officer:
BIRMINGHAM FIRE,
TRAFFIC SERVICE
BIRMINGHAM
M11 3AH



Blackpool Borough Council

ANTI SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

CLOSURE ORDER

Date.....

Premises Address: The Food Lounge, 22 Market Street, Blackpool, FY1

Occupier: Nabil AWAD (aka AWADI) dob; 18 September 1971

The Court is satisfied that:-

- (a) That a person has engaged, or (if the order is not made) is likely to engage in disorderly, offensive or criminal behaviour on the premises
- (b) Or
- (c) That the use of the premises has resulted , or (if the order is not made) is likely to result in serious nuisance to members of the public
- (d) Or
- (e) That there has been, or (if the order is not made) is likely to be disorder near these premises associated with the use of these premises and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, occurring or reoccurring.

It is ordered that:-

Address:

is closed to persons, until.....

.....

.....

.....

.....

Breach of this order is an offence and is punishable with a fine up to £5,000, imprisonment of 51 weeks or both.

Date.....

.....Justice of the Peace

..... Justices' Clerk



ANTI SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

Police and Local Authority Consultation Document for the Closure of Premises

Lead Police Officer Details	Inspector James Martin					
Lead Local Authority Details	Mark Marshall					
Part 1 Details of Premises						
Address	The Food Lounge, 22 Market Street, Blackpool, FY1					
Status of Premises	Hot Food Outlet Local Authority Tenancy Registered Social Landlord Owner Occupier		Local Authority Leaseholder Private Landlord Not Known			
Landlord/Housing/Management	Owner/Manager:- Nabil AWAD (aka AWADI) dob; <input type="text"/>					
Address	<input type="text"/> Blackpool, FY4 <input type="text"/>					
Part 2 – Details of Known Occupier(s) – Continue on separate sheet of necessary						
1	Name; N/A		Date of Birth:		Yes	No
Gender	Male	Female	Ethnic Origin	Juvenile		
Are there any vulnerability or Health issues or dependent children?						
Are the known to social services						
If yes please give details						
2	Name N/A		Date of Birth:		Yes	No
Gender	Male	Female	Ethnic Origin	Juvenile		
Are there any vulnerability or Health issues or dependent children?						x
Are they known to social services						
If yes please give details						
Part 3 Details of consultation – continue on a separate sheet if necessary)						
Is there evidence the premises are connected to drug abuse?					x	
If yes, use – supply – production						

Blackpool Borough Council

<p>Details:</p> <p>There is evidence of drugs being used at the premises by staff and customers. There is a historic reference to drugs being offered to an electricity worker in 2016.</p> <p><i>Consider including witness statements and local authority reports</i></p>		
<p>Is there evidence the premises are associated with the occurrence of disorder or serious nuisance?</p> <p>Details:</p> <p>There is evidence from various sources that the premises attracts gangs of unruly youths, that cause ASB in the near vicinity and cause nuisance and annoyance to members of the public.</p> <p>In particular the youths have targeted a business and verbally and physically abused and assaulted the manager. See the statement of Greg Edenfield.</p> <p><i>Consider including witness statements and local authority reports</i></p>	x	
<p>Has there been any other action taken by police, local authority or any other agency?</p> <p>If yes please give details</p> <p>Details:</p> <p>The police and local authority have targeted the area to disperse the youths and intervene in an attempt to thwart the ASB, Inspector James Martin can expand on the targeted patrols and police operations in force.</p> <p><i>Consider including witness statements and local authority reports</i></p>	x	
<p>After consultation, is there agreement that the Closure Notice is served?</p> <p>If No please give details of any objection and any other action suggested by the objector:</p> <p>If yes, what is the proposed date of service of the closure notice?</p> <p>26th April 2017</p> <p>Date of Court Hearing for Closure Order:-</p> <p>Court:- Blackpool Magistrates' Court</p>	x	



Blackpool Borough Council

Lead Local Authority Officer			
Signature:	<i>Mark Marshall</i>	Position	Date
Print Name:	Mark Marshall	Licensing/Health and Safety Manager	
Lead Police Officer			
Signature:		Position	Date
Print Name:	James Martin	Police Inspector	
Details of Officer Completing (if not lead police officer)			
Signature:	<i>Mark Marshall</i>	Position	Date
Print Name:	Mark Marshall	Licensing Health & Safety Manager	25th April 2017



Blackpool Borough Council

ANTI SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

CERTIFICATE OF CONSULTATION

I, Mark Marshall..... hereby certify that I am duly authorised to consult on behalf of Blackpool Borough Council, And have consulted with Lancashire Constabulary regarding an application for a Closure Order in respect of:

The Food Lounge, 22 Market Street, Blackpool, FY1

Name: Mark Marshall

Position: Licensing/Health and Safety Manager

Address: : Bickerstaffe House, Number 1, Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH

Signed.....Mark Marshall.....

Date.....25th April 2017.....

I, James MARTIN..... hereby certify that I am duly authorised to consult on behalf of Lancashire Constabulary and have consulted with Blackpool Borough Council regarding an application for a closure order in respect of:

The Food Lounge, 22 Market Street, Blackpool, FY1

Name: James Martin

Position: Police Inspector

Address: Lancashire Constabulary, Blackpool Central Police Station, Bonney Street, Blackpool

Signed.....[Signature] Insp 410.....

Date.....25th April 2017.....



Blackpool Borough Council

ANTI SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

NOTICE OF INTENTION TO ADDUCE HEARSAY EVIDENCE

In Pursuance to Section 1 and Section 2 of the Civil Evidence Act 1995

To: Nabil AWAD (aka Awadi) born 18 September 1971

Address:

Take note that at the hearing for an application for an Antisocial Behaviour Closure order to be heard at Blackpool Magistrates' Court on, or such adjourned date(s) thereafter, it is proposed on behalf of the Head of Legal Services; Dawn Goodall of Blackpool Borough Council, to adduce hearsay evidence, such evidence being contained within the following statements and documents:

- (a) .**
- (b) .**
- (c) .**
- (d) .**

Anonymous persons will not be called to give oral evidence in person for fear of reprisals and retaliation.

Date:.....

Served on Behalf of Dawn Goodall

Head of Legal Services.

STATEMENT OF:

MARK MARSHALL

DATE SIGNED: 24th March 2017

DATE FILED:

EXHIBITS

NO: *m1m, m1m02, m1m03, m1m04, m1m05* First
m1m06

FILED FOR: Blackpool Borough
Council

IN THE BLACKPOOL MAGISTRATES' COURT
IN THE MATTER OF AN APPLICATION FOR A CLOSURE ORDER PURSUANT TO SECTION
76(1) OF THE ANTI SOCIAL BEHAVIOUR POLICING AND CRIME ACT 2014

BETWEEN

BLACKPOOL BOROUGH COUNCIL

APPLICANT

AND

Food Lounge 22 Market Street, Blackpool

AFFECTED
PREMISES

WITNESS STATEMENT OF MARK MARSHALL

I Mark Marshall, employed by Blackpool Council as a Licensing and Health and Safety Manager and aged over 21 years, will say as follows:

1. I am duly authorised to enforce the Licensing Act 2003 and the Anti-Social Behaviour, Policing and Crime Act 2014.

I make this statement in relation to a male known to me as Nabil Awad (also known as Awadi), DOB [] and my dealings with him in connection with various businesses over the last 10 years.

2. In December 2005 a premises licence was granted to a premises known as Chico Amigos, 18 Dickson Road, Blackpool, the licence was granted to a Mahia Taha, I recall there was a lot of concern with Taha as it was believed at the time that he didn't even exist, every visit to the premises resulted in Taha never being available with excuses being offered that he lived in Birmingham, the point of contact when visits occurred at these premises was Nabil Awad. On the 26th June 2016 Mr Awad applied to transfer the licence into his name and this application was subsequently refused, the decision notice cited concerns relating to convictions relating to Licensing Offences, the use of cannabis and concerning police intelligence regarding the sexual exploitation of young females at premises operated by Mr Awad, a copy of the decision notice is exhibited as MM01.
3. After this refusal the licence would have reverted back to Taha and the same position continued in that Taha was never around and officers continued to deal with Mr Awad. Due to a catalogue of concerns the police applied to review the licence pursuant to Section 51 of the Licensing Act 2003, the main issues disclosed during the investigation process were breaches of Licensing Conditions, particularly in relation to poor CCTV and the ability to demonstrate that the system was operating or recording, concerns with staff having convictions for violence and dishonesty, a huge amount of health and safety concerns and within the review papers evidence of cannabis and related items were photographed by the inspecting officers, a copy of the decision notice is exhibited as MM02.
4. Mr Awad came to the council's attention in 2010 whilst he was operating premises called Pizza Planet on Ocean Boulevard, South Promenade. This premises was found to be in breach of a number of requirements under the Health and Safety at Work Act 1974 and as a result was issued with a number of Improvement notices, Awad failed to comply with these statutory

notices and in failing to comply committed a criminal offence under the Health and Safety at Work Act 1974, the offences were disposed of by way of a formal caution.

5. In February 2010 Mr Awad was also found to be operating a premise known as Barbeque King, 38 Clifton Street, and the Premises Licence for this establishment was in the name of Mimoune Elkirat. A visit conducted by Health and Safety Officers on the 26th February 2010 revealed a number of issues relating to gas safety, electrical safety, food safety and fire safety. The premises licence was subsequently reviewed (Section 51 Licensing Act 2003) and detailed concerns from 3 visits:

27th February 2010 - Fire Safety, Food Safety and Health and Safety concerns were disclosed.

3rd March 2010 - 15 year old girl being employed at the premises in breach of the Children & Young Persons Act 1933.

12th March 2010 - Licensing breaches disclosed, namely inadequate CCTV, not working and unable to produce images as requested.

6. The review application was submitted by me on the 9th July 2010, supporting representations were received by Lancashire Constabulary that detailed their concern with Nabil Awad giving reference to a recent conviction for possession of a class A drug, namely cocaine that was found during the execution of a warrant at 18 Dickson Road (Chico Amigos) some years earlier, 26th March 2008.
7. He was convicted at Preston Crown Court on the 10th May 2010, the circumstances were that a quantity of the drug was found in Awad's office at 18 Dickson Road along with a quantity of mixing agent.
8. On the 22nd July 2010 the licence for Barbeque King was transferred to Mohamed Zakri Khan, the principal concerns with the licence was that Awad was behind the operation, in transferring the licence at this stage it would be necessary to show that Awad was still linked to the premises if the Licensing Committee wanted to exercise its powers to revoke the licence. Whilst the police still had concerns with Khan there was no evidence to link Awad to the new applicant, Khan, as such some conditions were added to the licence at the hearing, one of

which was an absolute prohibition that Awad will not be involved in the business directly or indirectly. A copy of this decision notice is exhibited as MM03.

9. At or about the same time as dealing with issues with Barbeque King another premises came to light that Awad had involvement with, this was Fallen Angels, a lap dancing club on Albert Road, Blackpool. I submitted a Review for this premises on the 9th July 2010, again the principal concern being the fact that Awad was behind the operation but additional matters of concern were disclosed during a visit to the premises on the 5th June 2010. The papers highlight concerns with serving drunken customers and a drastically dangerous outside smoking area which had inadequate safety rails that were attached to insecure brickwork which presented a significant risk of collapse and fall from heights, this area was immediately prohibited using powers under the Health and Safety at Work Act. Additional concerns included evidence of drug use in the public toilets, poorly lit stairwells resulting in a male customer falling and splitting his head open in front of inspectors and numerous breaches of Licensing conditions in particular the CCTV system was not recording and no images could be produced. Subsequent to this visit statements were obtained from a number of lap dancers who stated that they had been unduly influenced to perform full nude strip tease which has always been against the conditions of licence, this has been a local policy requirement that has always been rigorously enforced.
10. The hearing occurred on the 6th September 2010, the licence was in the name of an Andrea Law, Awad turned up at the hearing creating a scene and disrupted proceedings and had to be asked to leave, the decision was to revoke the licence and the reasons are set out in the decision notice which I exhibit as MM04.
11. Awad did not come to my attention again until 2016, the premises he was connected to was 22 Market Street, Blackpool, known as the Food Lounge, complaints were received regarding the communal space to the rear of the property which served as an emergency means of escape, the area was being misused and obstructed with commercial waste, the licence holder at this

time was an Ewa Agnieszka Jodko. A visit to the premises on the 26th March 2016 at 23.20hrs revealed that the licence holder was not only absent but completely uncontactable and enquires revealed she was living in Blackburn and had no involvement in the business; she was yet another name on the licence or front.

12. On the 31st May 2016 I was contacted by Damien Hornby, a revenue protection officer from British Gas, who was carrying out enquires at the Food lounge regarding suspected theft of electric, he was having difficulty identifying a male at the premises so asked me to attend. Mr Hornby was on site with a male who gave his details as Mahmoud Ramadan who is coincidentally also known to me as the owner of the Shisha Hotel another premises that Awad has links to. On my arrival Mr Hornby asked me to confirm who the male was he was speaking with which was Nabil Awad, Mr Hornby later submitted a written report to me regarding his findings which were that a tampered electric meter had been found on the premises. He added that a cash bribe was offered to keep his assessment of the bill as low as possible and the offer of drugs was also made by Awad, in addition the siting of a large bag of what was believed to be cannabis was seen in Awad's office too.
13. Following this report and my own concerns with Awad running a Licensed Premises I submitted a review for the Food Lounge. These particular premises did not get to a hearing as a complex process of transfers began. The licence was transferred into someone else's name whilst it was under review, the police objected to the transfer meaning it reverted back to the original licence holder who had surrendered the licence on my advice. This means that the licence had lapsed before getting to a hearing.
14. There was a period of a number of months that the Food Lounge remained closed due to the fact that the electrical supply had been disconnected for the interference and debt owed to the supplier. In October 2016 I saw that the premises was open after 11pm, serving hot food, this practice required a premises licence and I was aware due to the lapse in the summer that the premises was unlicensed.

15. I went into speak with the manager and Awad came down from upstairs, clearly under the influence of some sort of substance, he suggested he was not serving hot food but this was instantly challenged as the kebab grills and deep fat fryers were all fully operational. In addition a number of customers were spoken to and details obtained all of which confirmed they bought and were served hot food.
16. This visit then led to a series of Temporary Event Notices being submitted and a Premises Licence Application in the name of a Curtis Marsden. The police mediated on the application agreeing not to object if a condition was added that Nabil Awad was not to be on the premises after 11pm. This condition was agreed and the licence was granted in November 2016. Within a matter of weeks of opening the premises was being flagged as a hot spot for anti-social behaviour, particularly in relation to problematic groups of youngsters who were causing problems in the town centre.
17. On the 10th February 2017 I visited the premises in the company of Sgt Helen Parkinson where we checked the licence conditions relating to the Food Lounge; numerous breaches were noted in relation to CCTV and no door staff being employed at the premises. Curtis Marsden was spoken to about the seriousness of the breaches particularly in light of all the reports relating to young and vulnerable children being found in and around the premises. Curtis Marsden undertook to get the issues sorted immediately but was clear to say that Awad was in charge of the finances and he would be telling him to get the door staff in place. Marsden was sent a letter by Sgt Parkinson spelling out the breaches of Licence, this letter was dated 16th February 2017 which I exhibit as MM05.
18. I attended the Food Lounge at 03.40hrs on the 19th February 2017; the licence requires door staff from 03.00hrs. At the time of my visit the premises was open to the public and some low level disorder was taking place between a groups of revellers. I sat in the premises for approximately 15 minutes before Curtis Marsden noticed me, during my time at the premises I observed numerous hot food orders being served. I made notes of the conversation and my

observations approximately 2 minutes after leaving the premises, a copy of my notes are exhibited as MM06. The notes read as follows:

19. 03.56hrs Curtis Marsden approached me whilst sat down. About 3 minutes before his approach the front lights went off. I asked where is the door man, he stated we have been trying all night to get one then in the same breath said I lost track of time then when I saw you look at your watch I turned the lights off. I asked if door staff were on duty Friday/Saturday, he said no, I am crumbling here, and then showed me some defects on the till. I asked if he knew how to use the CCTV, he said no, when I challenged him about the fact that Chico had apparently shown him how to use it this week, he said he hasn't but he will be. He also confirmed he was in receipt of the warning letter (police). He then added he gives me too much responsibility, he's going to have to help me or my name is coming off the licence.

Notes made at 04.00hrs-04.02hrs

Memo note from phone made at 03.55hrs

Entered at 03.40hrs

Male in burgundy top served pizza at 03.52

5 x scouse girls eating food.

2 males at the counter awaiting food order.

20. I am of the firm belief that any premises that Nabil Awad is connected to whether directly or indirectly will present a significant risk to public safety and will undermine all the Licensing Objectives, he has a significant history of non-compliance which this statement highlights. His tactic is to simply use anyone he can to front the business, the subsequent harms that then flow from the mismanagement are usually quite significant and swift regulatory action seems to be the only way to deter and stop his activities.

I believe the facts contained in this Witness Statement to be true.

Signed 

Dated 24th March 2017



**NOTICE OF REFUSAL TO TRANSFER
PREMISES LICENCE**

To: Nabil Awad

Of:

The Blackpool Council being the licensing authority on the 26th June 2006 received an application to transfer the premises licence issued in respect of Chicos Amigos, 18 Dickson Road, Blackpool from Mahla Taha to Nabil Awad.

The Council have refused the application giving the following reasons:

On the 19th June 2006, at Fylde Coast Magistrates Court, Mr Awad was fined a total of £400.00 in respect of offences under the Licensing Act 2003. Mr Awad has admitted to us that he uses cannabis. We have also seen the police intelligence summary indicating concerns of drug dealing and the sexual exploitation of young females at premises operated by Mr Awad.

Taking all these factors together, we are of the opinion that these are exceptional circumstances, which would seriously undermine the crime and disorder objective, and therefore we refuse the application to transfer the licence.

Date: 27th September 2006

Signed.....

Designation Principal Solicitor (Licensing)
the officer appointed for this purpose

Please address any communications to:

Licensing Service
PO Box 1145
Rigby Road
Blackpool
FY1 5WY

Note: An appeal against this decision may be made by the applicant/the Chief Officer of Police as applicable (See Schedule 5 of the Act) to the magistrates' court for the petty sessions area (or any such area) in which the licensing authority's area or part of it is situated within 21 days from the date of receipt of the notification of the decision.

LS/D/005/19/1



REVIEW OF PREMISES LICENCE

To: Mr Mahia Taha

Of:



The Blackpool Council being the licensing authority on the 23rd March 2007 received an application from Lancashire Constabulary to review the premises licence issued in respect of Chicos Amigos (now known as Flying Chicken Express, 18 Dickson Road, Blackpool

The Council have determined to revoke the premises licence for the reasons detailed below.

Despite numerous attempts, the Responsible Authorities have failed to meet with Mr Taha to discuss issues. On one occasion, a person did claim to be Mr Taha, but failed to speak with the authorities or produce any identification. It is impossible to identify any person responsible for these premises. The only person who can be identified is Mr Awad. In September 2006, members of this Committee refused to transfer this premises licence to Mr Awad, the Police having established exceptional circumstances under the Crime and Disorder objective. Mr Awad therefore cannot be seen to be a responsible person in connection with these premises.

Concerns have also been expressed about the nature of staff employed at the premises. Staffing seems to be transient in nature on a number of occasions the police have identified a number of employees working at the premises with convictions for assault and dishonesty offences.

Numerous breaches of premises licence conditions have been highlighted. CCTV appears to be installed, but not working. During one visit the Police asked for it to be switched on, but the employees did not know how this could be done. Environmental Protection made us aware of breaches concerning the storage of waste – this still has not been complied with.

A catalogue of breaches of health & safety legislation have been identified with a number of prohibition and improvement notices being served – it would appear that these notices have not been complied with. Failure to comply with health and safety legislation puts members of the public at risk as well as employees.

Taking into account the representations made to us today, it would appear that Mr Taha has shown a complete disregard for all forms of legislation and despite the catalogue of concerns highlighted, he has made no attempt to engage or communicate in any way with the authorities, or the licensing service to resolve these issues. His failure to engage despite ample opportunity, and his failure to attend hearings, both today and to deal with his appeal against the improvement notices can

LS/D/005/19/1

give us no confidence that he will manage these premises in the correct manner in the future.

In reaching our decision we have taken into account the factors detailed above and considered human rights. Our duty is to promote the licensing objectives. In this case, we feel that the only way to promote the licensing objectives, especially crime & disorder and public safety is to revoke this premises licence.

This decision will come into effect in 21 days unless notice of appeal is served within that time.

Date: 23rd May 2007

Signed.....
Designation Principal Solicitor (Licensing)
the officer appointed for this purpose

Please address any communications to:
Licensing Service
PO Box 1145
Rigby Road
Blackpool
FY1 5WY

Note: An appeal against this decision may be made by the applicant/the Chief Officer of Police as applicable (See Schedule 5 of the Act) to the magistrates' court for the petty sessions area (or any such area) in which the licensing authority's area or part of it is situated within 21 days from the date of receipt of the notification of the decision.

LS/D/005/19/1



REVIEW OF PREMISES LICENCE

To: Licensing Matters Ltd
Of: Time Technology Park
Blackburn Road
Simonstone
Lancashire
BB12 7TW

The Blackpool Council being the licensing authority on the 9th July 2010 received an application from health and safety to review the premises licence issued in respect of barbeque King, 38 Clifton Street Blackpool.

The Council have determined to deal with the review in a manner which reflects the agreement reached between the parties:

1. The licensable activities of sale of alcohol and regulated entertainment will be removed from the licence,
2. The premises licence is suspended until evidence is produced to the licensing authority of the transfer of the lease dated 28.04.10 to Mohammed Zakria Khan,
3. No person under the age of 16 to work at the premises
4. Nabil Awadi will not be involved in the business either directly or indirectly and Nabil Awadi will not be present on the premises at any time.

This decision will come into effect in 21 days unless notice of appeal is served within that time.

Date: 16th September 2010

Signed.....

Principal Solicitor (Licensing)

the officer appointed for this purpose

Please address any communications to:

Licensing Service
Westgate House
Blackpool
FY4 2TS

Note: An appeal against this decision may be made by the applicant/the Chief Officer of Police as applicable (See Schedule 5 of the Act) to the magistrates' court for the petty sessions area (or any such area) in which the licensing authority's area or part of it is situated within 21 days from the date of receipt of the notification of the decision.

LS/D/005/19/1

REVIEW OF PREMISES LICENCE

To: Andrea Law
Of:

The Blackpool Council being the licensing authority on the 9th July 2010 received an application from Health and Safety review the premises licence issued in respect of Fallen Angels, 53 Albert Road Blackpool.

The Council have determined to deal with the review by revoking the licence.

Reasons

We have listened to all the evidence brought to us regarding the premises known as Fallen Angels. The catalogue of issues gives us great concern. Blackpool has a reputation of being a family friendly resort that can offer all forms of entertainment including adult entertainment. We were surprised by Mr Awadi's attendance and interference. Whilst we understand that there are acrimonious feelings between Fallen Angels and Eden, we are concerned about the allegations of threats and intimidation.

We appreciate that Miss Law and Mr Hickman desire to take over the business and release Mr Awadi of all responsibility, but we are far from convinced that they have the acumen and skills to do so at this early stage and we are still mindful of Mr Awadi's interference and continued involvement and have no confidence that he would voluntarily remove himself even if he had no financial involvement.

Our decision is to revoke the licence on the grounds of upholding the four licensing objectives as we consider this to be necessary and proportionate.

This decision will come into effect in 21 days (27th September 2010) unless notice of appeal is served within that time.

Date: 6th September 2010.

Signed.....
Designation Principal Solicitor (Licensing)
the officer appointed for this purpose

Please address any communications to:
Licensing Service
Westgate House
Blackpool
FY4 2TS

Note: An appeal against this decision may be made by the applicant/the Chief Officer of Police as applicable (See Schedule 5 of the Act) to the magistrates' court for the petty sessions area (or any such area) in which the licensing authority's area or part of it is situated within 21 days from the date of receipt of the notification of the decision.

LS/D/005/19/1

Licensing Department
Blackpool Central Police Office
Bonny Street
Blackpool
Lancashire
FY1 5RL

16th February 2017

Dear Mr Curtis Marsden,

Re: The Food Lounge, Market Street Blackpool, FY1 1NL.

In relation to the Licensing Act 2003 I would like to bring to your attention the fact that as of the 24th November 2005 the new Licensing Act came into force and will be rigorously enforced by all of the enforcement officers in the town.

On Friday 10th February 2017 at approximately 23:00hrs, I visited the above premises in company with Mark Marshall from Blackpool Council Licensing Department. During the visit the premises were found to be operating outside the conditions of the premises licence as outlined below.

- 2 CCTV, which complies with the following criteria, will be installed at the premises.**
 - a) The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary.**
 - b) The system shall display on any recording the correct time and date of the recording;**
 - c) The system shall be recording during all hours the premises are open to the public;**
 - d) VCR tapes or digital recording shall be held for a minimum of 28 days after the recording is made and will be made available to the Police for inspection upon request.**
 - e) The system shall, as a minimum, record images of the head and shoulders of all persons entering the premises.**
 - f) A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police, or any officer acting for a Responsible Authority, recent data or footage with the absolute minimum of delay when requested.**

On speaking to you in the office you confirmed that you were unable to operate the CCTV and the only person you were aware of that could was the business owner Mr Nabil Awadi. Therefore we were also unable to check that it was recording and retaining data for a minimum of 28days.

- 6 At any time the premises are open to the public after 03:00 hours, the premises licence holder shall employ a minimum of one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary.**

When asked about opening hours you confirmed that the premises was open after 3am but stated that no door supervisors are employed to work at the Food Lounge, stating that the door supervisors from Revolution, located directly across the road, will come over and help should there be any issues. Since the visit I have spoken to Mr Awadi who states there is a door supervisor employed, they come across from Revolution once finished, but he was unable to give me any further details. In order to confirm this is the case I require details of the door supervisor employed from Revolution so this can be verified.

- 11 No persons under the age of 18 will be allowed on the premises after 23:00 hours unless they are a member of staff working at the premises at the time.**

As discussed with you during our visit, on 4th February 2017 town centre CCTV clearly showed a group of approximately 10 youths, all under 18years continually coming in and out of the Food Lounge between 23:00 – 23:30hours.

I advise that in accordance with section 136 (1) of The Licensing Act 2003 "A person commits an offence if a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than in accordance with an authorisation, b) he knowingly allows a licensable activity to be so carried on".

The maximum penalty for this offence is six months imprisonment and/or an unlimited fine.

Further to the licensing conditions, concerns were also raised in relation to staff employment. Information had been received of persons being employed whilst still at school. You confirmed that two females had worked at the premises the previous weekend but you were unaware of their age and no identification checks had been carried out. In addition no training had been given to the females nor to the two males working in the premises during our visit.

Please take this letter as a formal warning that if your premises are found to be operating outside the conditions again then formal proceedings will be taken.

A copy of this letter will be retained on your premises file and maybe used against you in subsequent hearings.

Yours sincerely,

PS1747 Helen Parkinson
Blackpool Licensing Department
Tel: 01253 604074

computer. Only someone from
department.

2017 Sunday 6th February 2006

00:01 on duty

03:56 Curtis Member appointed
no whilst sat down.
About 3 unit leaders his
approach the front lights
unit off. I asked where is
the shower, he stated we
have been trying all night
to get one then see the
scene breath sound I lost
track of time then when
I saw you look at your
watch I turned the
light off. Added it

doorstaff were on duty
Friday/Saturday he said
no, I'm creating here.
Then showed me some
defects with the till.
I asked if he knew how
to use the CCTV he said
no, when I challenged him
about the fact that Clive
had apparently shown him
how to use it his words
he said, he hasn't but
he will be. He also
confessed he was in
receipt of the warning
letter (P210). He then
added he gives me too
much responsibility he going

to have to help me in
my name is coming off
the line.

Notes made at 4:00am-4:02.

Memo note from phone
made at 3:53hr.

Enter at 3:40

Made in burgundy top

sawd pizza at 03:52

3 rows gals eating food.

2 miles at the centre

awaiting food order

2017 Monday 20th February 8916

2017 Tuesday 21st Feb 8927

2017 Wednesday 22nd Feb 8938

2017 Thursday 23rd February 8943

10-00

10:30

2017

2017

09:00

11-51

[REDACTED]

07



RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: **Police Inspector 410 James MARTIN**

Age if under 18: **over 18** (if over 18 insert 'over 18') Occupation: **Police Inspector 410**

This statement (consisting of 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.

Signature:..... (witness) Date: **03/04/2017**

I am Police Inspector James MARTIN, who has responsibilities as the Neighbourhood policing Inspector for Blackpool Central and North. I submit this statement in support an of an application under s76(1) of the Anti-Social Behaviour, Policing and Crime Act 2014, concerning the premises, currently operating as The Food Lounge, 22 Market Street, Blackpool.

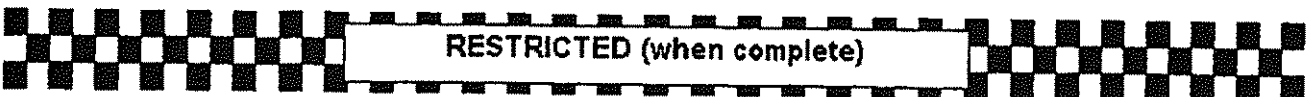
Throughout late 2016 and 2017, Youth Anti-Social behaviour has become an increasing concern for Blackpool Town Centre, which has prompted, in response, a multi-agency problem solving approach involving a number of agencies including Lancashire Constabulary and Blackpool Council, whom are working closely with the Blackpool Improvement District (BID) and local businesses, such as MFA Bowl, KFC and McDonalds. The Taxi Associations and local Licensed Premises are also assisting.

A trend has emerged whereby large numbers of young people attend Blackpool Town Centre, specifically, Market Street, Church Street and Bank Hey Street and loiter with the intention of intimidating, harassing and committing minor criminal offences.

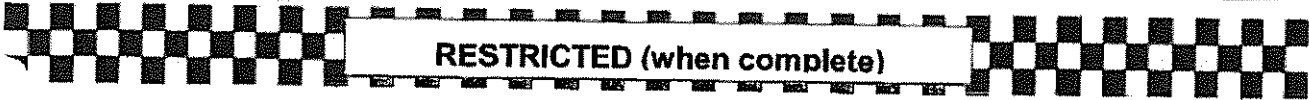
As the local Inspector I have responded to this trend by increasing visible patrols, improving engagement with young people, via schools and guardians, using press releases to highlight the problem, and also promoting improved working relationships and partnerships with local business. Members of the Neighbourhood Team regularly engage with the management of McDonalds, KFC and MFA Bowl, along with Revolution Bar.

However, some businesses fail to assist the local community in reducing the opportunity for young people to engage in anti-social behaviour. The Food Lounge on Market Street is becoming a location of concern. It is very apparent that large numbers of young people are frequenting the Food Lounge and simply appearing not to be using the establishment for its intended purpose, that of selling take-away and sit-in food. Rarely have I witnessed hot food been consumed by these young people and it is very evident that the young people use the location as a place to 'hang-out', and I have witnessed these young people leaving and re-

Signature..... Signature Witnessed by



RESTRICTED (when complete)



RESTRICTED (when complete)

entering the location numerous times in an evening, moving from one location to another, only to return and repeat the behaviours.

I have reviewed Police systems and since 01st September 2016 and 3rd April 2017, there have only been four Police Incident Logs to the location of the food Lounge, 22 Market Street, Blackpool. None of which have been raised by staff working at the premises, and none involve a direct attack or offence against the location.

It is my belief that the staff permit the premises to be used by Young People, who then go on to behave in an anti-social manner in the local vicinity, causing issues at other local premises, including acts of damage and threatening behaviour.

It is my belief that the Food Lounge is targeted by young people as it is a place that is non-resistant to their behaviours, due to failure of staff to prevent anti-social acts. This in turn causes issues for neighbouring properties. By allowing such conduct the Food Lounge is adding to the overall anti-social behaviour as opposed to preventing it like many of the other businesses do on Market Street and Bank Hey Street.

Since 01st January 2017, I have reviewed Police Calls for Service to Market Street, Blackpool. All Police incidents amount to 123logs. Of these 49 refers to Anti-Social behaviour. Of these, only 3 refer to 22 Market Street, The Food Lounge, directly. These include on the 6th February, Police reporting that they had located a repeat missing from home and vulnerable female in the staff room at the location. On the 18th February 2017, a male reported been assaulted by a number of young people at the location and in the 3rd March 2017, a member of the public reporting threatening behaviour by persons inside the premises. (a fourth police log exists, but this is a duplicate report).

The above evidence suggests that anti-social behaviour rarely happens within the Food Lounge, but is very prevalent outside the Food Lounge in the near vicinity of Market Street.

Signature.....Signature Witnessed by



RESTRICTED (when complete)



RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Police Inspector 410 James MARTIN

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Officer 410

This statement (consisting of _____ 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.

Signature:..... (witness) Date: 22/04/2017

This statement is an additional statement in support of a Closure Order Application made under s.76(1) of the Anti-Social Behaviour, Policing and Crime Act 2014, concerning The Food Lounge, 22 Market Street, Blackpool.

In my original statement I make reference to incidents logged by Police concerning the local area. These are known as Incident Logs and are categorised according to the information passed to Lancashire Police Control room. I can confirm that between 01st January 2017 and 19th April 2017, there have been 160 calls for service whereby the location is given as Market Street, Blackpool. 61 of these calls have been classified as ASB or Anti-Social Behaviour.

A variety of locations are listed within the 160 Police Incident logs, the highest been Market Street which account for 42 incident logs.

The Food Lounge has been listed on 5 occasions within this period. These five logs are listed below:

LC-20170317-1412. Report from a member of the public that a friend of the caller had been 'jumped' near to KFC on Bank Hey Street, and that they had now moved to the Food Lounge and the offenders were outside waiting to attack them once more.

LC-20170303-1309. Reports from members of the public that a group of youths were been disorderly outside of the premises and that they are threatening customers who are going to the Food Lounge.

Concurrent to this Police Log, a further Police Log, LC-20170303-1316 refers to staff at Revolution Bar reporting the same matter, but the location given was Market Street.

LC-20170220-0262. This Police Log is an administration log, created by Police in order that a Protecting Vulnerable Person form could be submitted concerning a repeat missing from

Signature..... Signature Witnessed by



RESTRICTED (when complete)



home who was located within the location

LC-20170218-1483. Refers to a report from a member of the public that he had been assaulted by upward of 30 young people. He stated that he was bleeding. Upon Police arrival the member of the public failed to engage with Police.

Concurrent to this Police Log, a further Police Log, LC-20170218-1487 is reported, but this time giving the location as The Layton Raikes public house. This log refers to the caller been 'glassed'.

LC-20170206-1120. Refers to a report from a member of the public that a repeat missing from home person may be at the location of The Food Lounge.

Prior to the 01st January 2017. The Food Lounge is mentioned within 4 Police Logs within 2016. These are:

LC-20160531-1007. A British Gas employee reporting theft of Electricity. A crime number was generated by the company failed to engage further with Police

LC-20160530-0273. The owner of The Food Lounge reporting threatening customers in his shop.

LC-20160322-0079. The owner of The Food Lounge reporting criminal damage to the shop frontage

LC-20160321-1478. Refers to the owner of the Food Lounge reporting anti-social behaviour. Police arrived and gave a member of the public words of advice.

Concurrent to this Police Log, a further Police Log, LC-20170321-1477, refers to the same member of the public reporting behaviours at The Food Lounge. The person making this call was the same one who Police gave words of advice too. The location given with regards this call was Market Street.

During 2017 and in response to the high number of Anti-Social incidents reported to the Police in the local area, as the Neighbourhood Inspector I have put in place additional patrols and operations in order to reduce the incidents of ASB and also to reassure the local businesses and public that this type of behaviour will not be tolerated.

Signature.....Signature Witnessed by



Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Laila Turki**

URN

--	--	--	--

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

This statement (consisting of 2 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 19th day of April 2017.

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

Signature **Laila Turki**



I am PC 6172 Turki of the Lancashire Constabulary, currently stationed at Blackpool Police station as the community beat manager for Talbot and Tyldesley.

On 2nd February 2017 at 19:08, I was on duty, in full uniform, on mobile patrol, in company with PCSO Lauren Taylor in Blackpool Town Centre. At the time, I was the Blackpool Town Centre Community Beat Manager. On 02/02/2017 at 19:08, I was on an Anti-Social Behaviour (ASB) Operation, ran by the Blackpool Central Neighbourhood Policing Team, aiming to tackle ASB in the Town Centre. I made to MARKET STREET, BLACKPOOL, due to reports of a large group of youths, causing nuisance in the area. When I arrived, there were a large group of young, white males, aged approx. 13-16, on bikes, dressed in dark clothing outside of the FOOD LOUNGE on MARKET STREET. They were circling around an older male, aged approx. 18-25, who was wearing dark blue jeans and a dark blue t-shirt. I was in the passenger seat of the police vehicle at the time, but had a moderately clear view of the group as we were parked up within close proximity to the FOOD LOUNGE. The police vehicle was parked at the bus stop, which neighbours the FOOD LOUNGE, approx. one metre from the pavement, where the youths were situated. I was in the passenger seat that was closest to the kerb. It was late into the evening and the sky was pitch black, however the streets were well lit and visibility was good.

Signature **Laila Turki**



Signature witnessed by

The older male was holding up his mobile phone so the group of males could see and was scrolling through pictures, of what appeared to be a naked person. I saw images of what I believe to be the naked torso of a young, white, male, aged approx. 18 years old. The image was black and white and showed the male topless. The young males viewing the image looked confused. I viewed the images for a brief period, no longer than a minute, possibly less. I cannot be absolutely certain that they were indecent images; however that is what I believed they were at the time of the incident. Due to the minimal time in which I viewed the imagery and my positioning, it could be probable that they were not indecent images. I wound down my window and asked the males what they were looking at, however, the group of males quickly disbanded and fled on their bikes, therefore I didn't have the chance to obtain their details. The older male walked back into the FOOD LOUNGE and went behind the counter. I went into and asked him who he was, he confirmed he was CURTIS BOOTH [redacted] and was the manager of the FOOD LOUNGE. He claimed his boss and the owner of the shop was a man called 'NABIL', who I now know to be NABIL AWADI [redacted] a prolific offender, with previous links to Child Sexual Exploitation (CSE). I asked BOOTH what he was showing the males on his phone, he denied showing them anything and said that he wanted them to add him on Facebook as he wanted to befriend them. BOOTH said he felt sorry for the group of youths who frequent the TOWN CENTRE and will always invite them into the FOOD LOUNGE because he does not want them to be cold. The incident raised concerns and from then on, Neighbourhood Policing (NHP) focused a large proportion of our attention on the FOOD LOUNGE. BOOTH began regularly inviting the young groups of youths, who frequent the TOWN CENTRE, into the FOOD LOUNGE and encouraging them to go behind the counter and into parts of the restaurant that are not accessible to the public. Proportions of these youths were regular Missing from Homes (MFH) and would often be found in or around the area of the FOOD LOUNGE. There were particular concerns raised with regards to two young females, who the NHP team learned, through our intelligence system, were in regular contact with BOOTH and AWADI. It is my honest held belief that BOOTH and AWADI pose a risk to the young groups of children

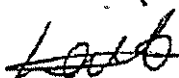
Signature Laila Turki



Signature witnessed by

who frequent the FOOD LOUNGE and these children may be at risk of Child Sexual Exploitation due to their vulnerability and susceptibility to be coerced and encouraged by persons older than them. Whilst factoring in the CSE risk, the FOOD LOUNGE and those who manage and own it, by encouraging young people to enter, caused a strain on NHP resources. The youths continued to engage in ASB in and around the FOOD LOUNGE, subsequently creating a hotspot area of ASB on MARKET STREET, which frustrated the neighbouring businesses such as MFA BOWL, REVOLUTION and SUBWAY. Therefore, considering all factors, I would positively encourage the closure of the FOOD LOUNGE, to terminate the employment of BOOTH and ownership of AWADI.

Signature Lalla Turki



Signature witnessed by

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Lydia Kate Robinson**

URN

--	--	--	--

Age if under 18 over 18 (if over 18 insert "over 18"). Occupation **PCSO 7101**

This statement (consisting of 5 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 **2nd** day of **April** 2017

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

Signature **L. Robinson 7101**

I am Police Community Support Officer (PCSO) 7101 Lydia Kate Robinson of Lancashire Constabulary currently stationed at Blackpool Central Police station, Bonny Street, Blackpool.

I am currently posted to Blackpool Town Centre Ward. Part of my role is to tackle Anti-Social Behaviour (ASB) within the town centre, and to provide the community and businesses within the town centre a high visibility patrol and reassurance.

I make this statement in relation to The Food Lounge on MARKET STREET, BLACKPOOL. This statement will show the impact this premises is having on the local community, neighbouring businesses and a vulnerable youth cohort throughout Blackpool town centre.

Market Street is one of the busiest streets during the daytime and night time economy throughout Blackpool town centre. Throughout the day Market Street has a heavy foot fall of people using the street as it is one of the main bus routes throughout Blackpool. It has 6 bus stops along the street which provides transport to all over Blackpool. Blackpool town hall and council offices are located on Corporation Street which also provides a heavy foot fall throughout the day. West Street car Park, which is located just off Market Street, is a large scale, multi storey car park which is very popular throughout the day and evening providing parking for local shoppers, tourists and workers throughout Blackpool town centre.

Signature **L. Robinson 7101**

Signature witnessed by

Market Street is very popular in the night time economy as it has various bars such as Revolution, Brannigans, The Layton Raikes and Yates's. Towards the south end of Market Street there is various other businesses' such as Subway, William Hill and MFA Bowl which is a licensed bowling alley. During the evening from approximately 17:00hrs onwards, Market Street can be heavily busy with intoxicated members of the public due to the pubs and licensed establishments on the street.

On 7th January 2017 Blackpool north neighbourhood Policing team began an anti-social behaviour operation to tackle on-going issues of youths causing anti-social behaviour at various problematic places in Blackpool town centre. Market Street is one of our most problematic areas involving youths causing anti-social behaviour. We currently are experiencing anti-social behaviour problems with a group of around 50 youths. These youths are aged between 12-19yrs old. We have experienced a wide range of crimes being committed such as assaults, criminal damage and numerous reports of anti-social behaviour. Some members of this cohort group are hugely vulnerable children who are drinking alcohol, misusing substances and becoming missing from homes. In particular some of the young females whom are around 15-17yrs old are associating with older males and are putting themselves in very vulnerable situations.

On 15th October 2016 we received information that Nabil AWADI had re-opened the Food Lounge on Market Street. On 30th December 2016 Food Lounge was granted a license for the provision of late night refreshments. The premises were granted opening hours of Monday-Sunday 11:00am-04:30am. The Food Lounge was also granted a late night refreshments (Indoors) license, hours permitting Monday-Sunday 23:00hrs-04:30hrs. The license holder for this premises is Mr Curtis Andrew Marsden also known to Lancashire Police as Curtis BOOTH . BOOTH has 11 licensing conditions to follow which need to be adhered to for him to

Signature *L. Robinson* 7101 Signature witnessed by

keep his license. Condition 10 states "During the hours of licensable activities Mr Nabil AWADI will not attend the premises for any purpose. This will include the office area upstairs and any other rooms that are directly adjoined or linked to the premises. All these areas must be available for inspection during licensing hours.

Condition 11 states "No persons under the age of 18 years will be allowed on the premises after 23:00 hours unless they are a member of staff working at the premises at the time.

In early February 2017 we had a young 16yr old missing female. She is part of the youth cohort causing problems in Blackpool town centre. This female is hugely vulnerable at the moment as she is in foster care and there are concerns around Child Sexual Exploitation (CSE). This young female has started to take illegal substances on a regular basis and has been seen intoxicated on a number of occasions when I have seen her. She is known to associate herself with males whom are older than her which leads her open to exploitation. She has been reported as a missing person approximately 11 times throughout February 2017. On one of these occasions, this missing youth has been found in the Food Lounge takeaway. She was located by Police Officers after her friend let Police know where she was. She was found in the upstairs staff room of the Food Lounge on Market Street. She would not give a valid explanation as to why she was there, nor where she had been or what she had been doing. This became very concerning to the agencies involved with this youth, due to her vulnerabilities. At the time the missing person was found, BOOTH was on duty at work.

The Food Lounge has become a "hiding" place for our youth cohort. We receive calls from MFA Bowl on almost a daily basis regarding youths whom are entering and refusing to leave, causing damage, committing assaults and various other things. Food Lounge has become a huge attraction to the youth group as it is one of the only establishments throughout Blackpool

Signature L. Robinson 7101 Signature witnessed by

town centre that will allow them on the premises. This causes the youths to then have more resentment to others businesses who have banned them from their premises. These bans are within reason as they have previously caused damage and assaulted people. I believe if Food Lounge is to carry on trading as it is, whilst letting these children on the premises to more or less do what they want, it is going to result in one of their vulnerabilities being taken advantage of or somebody getting seriously hurt. Very often these children are missing from home; therefore they will stay out till all hours of the evening. This becomes a huge problem when they are staying in the food lounge, as it is providing them with somewhere to go which is warm, they can get food and drink and sit around and socialise with friends. This doesn't provide the children with any motivation to return home when they are missing. With these youths being out very late at night, they are coming into contact with members of the public from the night economy who are heavily intoxicated and sometimes under the influence of substances. Some of the youths involved are not very street wise, and will pick on the wrong person. This could result in our youth group being involved with fights and other problems throughout the night time economy.

It has been noticed that Josh ROLLINSON has links to the Food Lounge takeaway. He is seen mainly on weekend (Friday and Saturday) evenings in and out of the takeaway on numerous occasions. On the evening of 01/04/2017 I was parked in a Police vehicle on Market Street, Blackpool. I noticed ROLLINSON stood outside the takeaway. As I moved closer to the Food Lounge, ROLLINSON went inside for approximately 1 minute and then returned back out of the takeaway. I witnessed ROLLINSON do this on numerous occasions throughout that evening. I found it strange that every time ROLLINSON entered the takeaway, he was only in there for approximately 1 minute, sometimes even less. I witnessed him not purchase anything

Signature L. Robinson 7101

Signature witnessed by

(food or drink) from the takeaway every time he went in. ROLLINSON does have links to drugs.

Blackpool Town Centre's businesses are currently being affected hugely by this youth cohort. As outlined in my statement, The Food Lounge on Market Street adds fuel to the fire for this cohort. I believe if this business was to close, it would minimise the risk to other businesses as the rest are trying to take a united front to tackle these youths. It would prevent vulnerable children who are missing from home, from having a hiding place. BOOTH encourages the children onto the premises, trying to befriend them. BOOTH is a lot older than some of this youth group as they range from the ages of 12-19years old. I believe this is dangerous to the younger children, as a lot of them seek friendships with older males. This puts them in a very vulnerable situation. I believe this closure order is necessary to protect the businesses of Blackpool Town Centre, members of the public and the most vulnerable in our community.

Signature *L. Robinson 7101*

Signature witnessed by

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Stephanie Gelson**

URN

--	--	--	--

Age if under 18 **018** (if over 18 insert "over 18"). Occupation **Police Officer**

This statement (consisting of 1 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 4th day of April 2017

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

Signature

S Gelson

I am Detective Constable 2535 Gelson of the Lancashire Constabulary currently attached to the AWAKEN Team on the Public Protection Unit at Blackpool.

On Thursday 9th February 2017 I spoke with G, a 15 year old female in relation to her attending the FOOD LOUNGE, 22 Market Street, Blackpool.

G confirmed that she has visited there on a number of occasions as she 'hung about' with a large group of youths in the town centre.

She specifically told me about two occasions where she had recently been allowed to go to the upstairs area of the shop with her friend, A 16 year old female. G confirmed that she had been upstairs with the manager Curtis Marsden 21years DOB On the first occasion she stated she went upstairs to charge her mobile phone and they just chatted. Curtis friend, whom she only knows as 'Lee', was also present. She states she was upstairs for about an hour. The second occasion, G states she had left her cigarettes upstairs from the previous visit and so went upstairs to retrieve them.

Signature

S Gelson

Signature witnessed by

I spoke with G's friend A later that same day in the presence of Awaken Social Worker, Peter Harding. A confirmed she knew Curtis Marsden from being in town and had also attended the Food Lounge numerous times. She states she went to the upstairs area of the premises with G to charge her mobile phone. Also present was a male called 'Lee'. On a second occasion she went upstairs with G as she had left her cigarettes.

A also stated that the previous weekend she had worked in the Food Lounge with G at the request of Curtis. She recalls that he was short staffed so Curtis had asked her if she would be willing to work on the till for a few hours. A agreed. G also wanted to work with her so both worked on the till until the early hours in the premises. A states Curtis paid her £30 cash which she shared with G.

Signature

S Gelson

Signature witnessed by

STATEMENT OF: GREG EDENFIELD
DATE SIGNED:
DATE FILED:
EXHIBITS
NO: First
FILED FOR: Blackpool Borough
Council

IN THE BLACKPOOL MAGISTRATES' COURT
IN THE MATTER OF AN APPLICATION FOR A CLOSURE ORDER PURSUANT TO SECTION
76(1) OF THE ANTI SOCIAL BEHAVIOUR POLICING AND CRIME ACT 2014

BETWEEN

BLACKPOOL BOROUGH COUNCIL

APPLICANT

AND

Food Lounge 22 Market Street, Blackpool

AFFECTED
PREMISES

WITNESS STATEMENT OF GREG EDENFIELD

I am Greg Edenfield, employed by MFA Bowl as a Unit Manager and aged over 21 years, will say as follows:

1. I make this statement in relation to the significant anti-social behaviour suffered by me and my staff at my current place of work, MFA Bowl, 29-37 Market Street, Blackpool.

I have worked for the company for 2 years at centre manager level, and have been posted at sites mainly in the south of the country, which include Dartford, Yeovil and Dorset.

2. In December 2016 I was posted to the Blackpool site and prior to my arrival I was briefed by Navinder Singh who is the current Designated Premises Supervisor at the Blackpool site and my immediate line manager of some of the issues that the Blackpool suffers from in particular the

significant youth nuisance which is experienced both externally and internally. Nav explained that the main issue as he saw it was the Promenade entrance, which had suffered quite a bit of damage and provides an element of shelter in the vestibule/ stair lobby, has led to modestly small groups of youths hanging around in the doorway.

3. On my arrival at the site I decided to close the Promenade entrance, especially as we were in the winter months in order to head off some of the issues that I had been briefed on.

The entrance comprises of a double set of doors which double up as a fire escape, then a square lobby area which is about 12 ft square in size leading to a double width staircase which returns on a number of occasions and eventually provides access to the 1st floor where our main bowling alley and amusement machines are located. On the second floor we also have further bowling facilities.

4. Within about 2 weeks of my arrival I really became aware of the youth element that was beginning to harm our business, looking back to December to current date it is very apparent that the nuisance element has increased and also evolved. It has happened in three stages, with each stage consisting of different characters, age groups, numbers, locations, times and issues.
5. The first stage was as I say within about 2 weeks of my arrival, despite my plan to close the front entrance we were regularly plagued by a youth element consisting of between 6-9 young children aged between 10 and 12 years old, their tactics were to hang around the Promenade entrance for shelter but at the same time they would cause damage, sneak into the premises, antagonise and annoy our customers and in general terms were very disruptive.
6. I got to know some of the faces quite quickly as they would run through the premises, attempt to play on machines and despite the Promenade entrance being closed they would enter through the Market Street entrance and go down to the Prom doors opening them up for other groups to enter.

The times that this was occurring was from about 4pm up till about 7pm, we had CCTV coverage on these doors as well as an audible alarm that was linked to our fire alarm so we could quickly intervene when they entered the premises, however during these times it is quiet from a customer point of view so as such very often I was running with minimal staff and on occasions just myself. Chasing these youths around the premises was extremely annoying and disruptive.

7. A short time after my arrival to the Blackpool site, because I had implemented these changes to the Promenade entrance, I was dealing with the fall out as described above but it wasn't long before things took a more sinister turn. The CCTV camera that was installed at the Prom doors was smashed and even removed from site as well as damage to the alarm system where they had damaged one of the sensors. They were clearly frustrated by the preventative measures I had put in and were doing their utmost to sabotage our defence, in addition to the theft of the CCTV dome and the damage to the alarm they had also broken the push bars on the doors out to the Promenade.

When we called a company out to repair these items the invoice came to over £800.

This intentional damage made me feel like we were being infiltrated, taking our defences away and left the premises vulnerable to further attack.

There was low level cosmetic damage to the Promenade entrance including holes in the ceiling and they had ripped the plywood boxing of one of the vertical support pillars, whilst not particularly expensive to rectify it would be staff time and in the interim period until repairs were conducted it left the premises looking very uncared for and quite unsightly and as a business your entry points are very important.

8. The first wave of nuisance was what I would describe as low level, irritating and disruptive, but within weeks of this issue dying down at the Promenade side of the building a second and much more aggressive group began to cause problems at the Market Street side.
9. The second wave began in late January through most of February 2017, the age group of this gang were slightly older, between 12 and 15 years old and usually consisted of bigger numbers, upward of a dozen or so, they would hang around the Market Street entrance which was now our only point of customer access. It started with damage which I could see taking place on the CCTV, they would damage the ceiling to the foyer which was a plaster board ceiling with recessed spot lights, I saw them throwing their bikes and scooter handle bars up to the ceiling to cause the damage, broken lights and holes in the ceiling were a regular occurrence. This group were different in that they did not try and enter the premises quite as much as the last group but where they hung around and the numbers of the group were a clear deterrent for customers entering the building.

I had to put the damage right and instructed our maintenance man to replace lights and re-board the ceiling, but no sooner had we made good the defects the damage would start again.
10. When I first encountered this new group I noticed they were far more abusive and had no fear, telling them to move away was an intimidating experience where I would regularly receive abuse and taunts, I was often called a wanker and an arsehole. I remained professional when dealing with this group and did not allow myself to be intimidated and just kept repeating instructions such as, "I'm in charge in these premises, leave now."
11. I was in regular contact with the police over this period, reporting incidents and damage, often the response was helpful but sadly never immediate, they would usually arrive an hour or so after my call. Dave Roberts from the Police was a constant source of support for me, giving me regular updates as to what the police were doing about the groups of youths, he also gave me some tips to help the police gather evidence and advised me to photograph the ring leaders on my phone and provide any CCTV footage to help the police prove who was responsible.
12. The nuisance from this group was a daily occurrence and lasted much longer into the evening but admittedly started later, the peak times were between 7pm - 11pm, our peak trading time and the presentation of these groups in our foyer and main entrance was a situation I could not tolerate.

Most of the staff were intimidated and I could not ask them to deal with them, I didn't see it as fair, so it was down to me.
13. The pranks from this group got more and more destructive, they broke into the area that houses our main electrical supply and fire alarm system, smashing the glass on the door and then on at least 3 occasions switched the whole power off to the building, again highly disruptive from a business point of view. Each and every time after the pranks we would secure

the area by boarding doors over, adding extra locks and continuing to intervene by asking them to leave.

14. When I followed the police advice and photographed some of the youths the level of abuse reached an all-time high. One particular evening there was a girl who was about 13 and she was drunk when I began to film her, the whole group turned very nasty calling me a paedophile, insisting that I delete the footage, suggesting I was not allowed to film them.

I had to hold the group back from charging upstairs, this tactic clearly made them very mad. I continued on with dealing with the youths and one of my assistants, Mike was also willing to deal with them. He was spat at on one occasion but continued bravely to face the daily abuse.

15. There are 2 further significant incidents that stand out in my mind with this group, the first was an evening dealing as usual with this problem and the use of my phone had really caused upset amongst the group, they were grabbing for my phone whilst trying again to charge up stairs. I was stood in the way with my arms held out holding a number of them back when from out of the corner of my eye I saw a young boy come charging from Market Street, through the group and punched me in the jaw. I lost my footing as it was a completely unexpected blow; this young boy was 14 years old. After he had punched me he ran away toward the Coronation Street area, I called the police and I saw that later the police had got him and were clearly triumphant in their body language as I later heard this boy was one of the ring leaders wanted for a number of issues around the town.

16. It was about this time that I remember contacting the parent or guardian of the young girl who said they would send someone to collect her; I showed the footage to the parents of this young girl's behaviour, there were apologetic but clearly at their wits end with her behaviour as she seemed to be out of control.

17. On another occasion a similar scenario of heated anger from the youths came after me capturing video footage of their activities, I was holding them back being kicked repeatedly and then suddenly my phone was being grabbed from me, and the youth ran off down Market Street with it, a customer without being prompted chased after this youth and recovered my phone for me. When my phone was returned all the video footage I had captured had been deleted.

18. The second wave of problems has been very distressing for me and my staff, I have also had a female member of management just disappear for a week without notice, admittedly she was having some personal difficulties at the time but she reported that the issues of the youth nuisance was the thing that sent her over the edge. We had lots of comments from customers saying that they felt sorry for us and there was even some coverage in the Blackpool Gazette about the problems in the town centre.

We also lost lots of potential customers as they would not cross the barrier of youths that were constantly in our foyer.

19. The current situation is that this group has moved on, replaced now by an older group, the third wave, who seem to be more indiscriminate with their harassment and we don't seem to be singled out as much, the current road works on Market Street have helped as the street is quite difficult to navigate at the moment. There is also a significant difference in the police

RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Helen Parkinson

Age if under 18: over 18 (if over 18 insert 'over 18')

Occupation: Police Sergeant

This statement (consisting of two 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.

Signature: *Helen Parkinson* (witness) Date: 30/03/17

I am PS1747 Helen Parkinson of Lancashire Constabulary currently stationed at Blackpool Police Station. My current role is the Licensing Sergeant in charge of West Division, which includes the entire Blackpool area.

In October 2016 the licensing department received several Temporary Event Notices in relation to The Food Lounge, Market Street, Blackpool to open for five consecutive weekends in October and November until 04:30 in order to serve hot food after 23:00hours. These TENs came on the back of Blackpool Council Licensing Department discovering they were serving hot food after 23:00hours without a licence. At this time I was made aware by colleagues of previous issues and dealing with the business owner Nabil AWADI.

During this time I spoke to Mr AWADI on the phone in relation to him wanting a licence again for the premises. I mediated with Mr AWADI and agreed to give him the opportunity to have the business open into the early hours on the proviso that he is not allowed in the premises during the licensable hours. He was in agreement with this stating that he just wanted the premises to start making money again and was happy to take a step back from the actual day to day running.

On 25th November 2016 an application was received for a Late Night refreshment Licence for the Food Lounge with the Licence Holder named as Curtis MARSDEN. The licence was granted with the condition attached that Mr Nabil AWADI was not to be on the premises during licensable hours.

On Friday 10th February 2017 at 23:30 I attended the Food Lounge in company with Blackpool Council Licensing Manager Mark Marshall. At this time we spoke to Premise License Holder Curtis Marsden. He was initially obstructive and refused us access upstairs until we made it clear that he needed to let us through.

We went through the conditions on his licence and it soon became apparent that he hadn't

Signature: *Helen Parkinson* Signature Witnessed by

RESTRICTED (when complete)



been through the licence as wasn't aware of some of the conditions on it. He was unaware of how to operate the CCTV and confirmed that they are open after 3am on weekends but have not been employing doorstaff. He stated the only person who knows how to use the CCTV is AWADI. There was no structured way of employing staff, MARSDEN would just get friends to work with him on a day to day basis with no experience in food preparation and cooking. He also confirmed employing two girls with previous week without checking their age and just taking them on face value; no identity checks were conducted. Furthermore, when asked about wages, MARSDEN confirmed he is paying staff £5 an hour, cash in hand, which is also what business owner Nabil AWADI is paying him to run the premises. There were also other issues in relation to knowledge around food preparation and hygiene. MARSDEN was advised that he had 7 days to rectify the breaches in relation to the licence conditions.

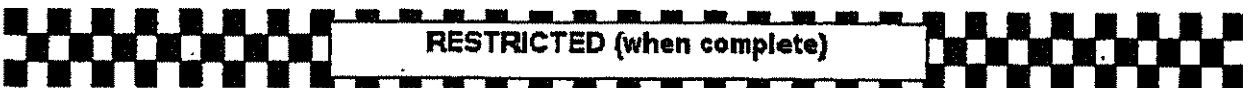
On Wednesday 15th February 2017 I spoke to Nabil AWADI on the phone and informed him of our concerns in relation to the licence breaches. He stated that he has trained Curtis on the use of the CCTV system since the previous Friday and he is now able to fully operate it. He also stated that Curtis was wrong and he does employ doorstaff from 3am. He uses one of the staff from Revolution across the road. When asked who it was he couldn't give me a name. He states he pays him £15 an hour for two hours each night he's open after 3am.

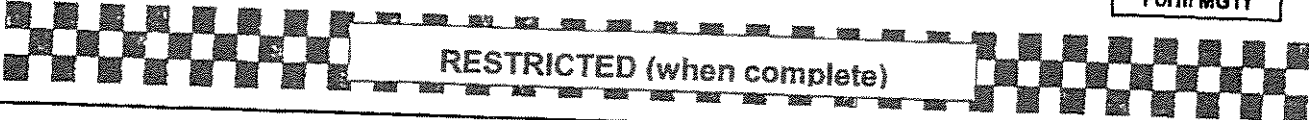
AWADI also stated that he pays his staff around £7 an hour but doesn't charge them for food and drink they are allowed to consume from the premises whilst at work. I advised him of the minimum wage and that this is regardless of what other benefits he gives his staff. I informed Mr AWADI that I will be sending out a warning letter in relation to the breaches on the licence.

On Thursday 16th February I had reason to visit Revolution on Market Street Blackpool regarding an unrelated matter and whilst there I asked DPS Martin Reid whether any of his door security go and work at the Food Lounge after 3am and confirmed that this was not the case at all and none of the staff employed at the premises do any work at the Food Lounge.

Also on 16th February I issued a warning letter to Curtis MARSDEN which was hand delivered to the Food Lounge and I also e-mailed a copy to Mr AWADI at the e-mail address he provided me the previous day during our phone conversation. The letter set out each issue in relation to compliance with the licence to ensure all persons were aware of all issues that needed sorting.

Signature..........Signature Witnessed by





RESTRICTED (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

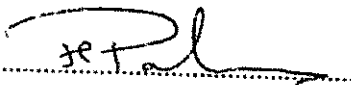
URN

Statement of: Helen Parkinson

Age if under 18: over 18 (if over 18 insert 'over 18')

Occupation: Police Sergeant

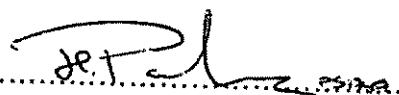
This statement (consisting of one page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

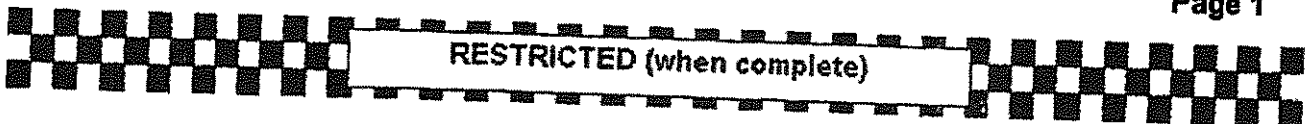
Signature:  P.1747..... (witness) Date: 12/04/2017

I am PS 1747 Helen Parkinson of Lancashire Constabulary currently station at Blackpool Central Police Station. I am the Licensing Sergeant covering the West Division of the County.

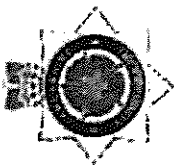
In relation to concerns surrounding two females youths I have produced a breakdown of the number of times they have each been reported missing to police in the past 12 months. I exhibit this document as HP1747/01. To protect their identities the document is heavily redacted. Both females have been missing 15 times each in the past 12 months.

I can confirm from the reports that on 6th February 2017 one of the females was located by police in the upstairs office of the Food Lounge on Market Street, Blackpool at 19:00hours. The female also stated that she regularly attends the Food Lounge as she is friends with the manager Curtis. On another occasion the same female was located on Market Street Blackpool by CCTV at 03:45hours. This female has been reported missing 11 times in 2017, 8 of those in February.....

Signature:  Signature Witnessed by



RESTRICTED (when complete)



Lancashire Constabulary Sleuth Live Sleuth

Missing Persons Search Results - CHILD 1

Welcome PS 1747 Parkinson
No PAVA Canister Issued
Wednesday, April 12, 2017
15:12:13
ASP Version 3.4.0

Select	Name	Log Reference	Status
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20160319-1654	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20160321-0902	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20160608-0801	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20160608-0801	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20160909-1462	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20160928-0610	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20161011-1324	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20161012-0559	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20161013-0995	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20170210-0919	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20170212-1406	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2000	LC-20170217-1629	Found

● [REDACTED] Bn: [REDACTED] /2000 Found
● [REDACTED] Bn: [REDACTED] /2000 Found
● [REDACTED] Bn: [REDACTED] /2000 Found

LC-20170310-1718

LC-20170321-1574

LC-20170325-1851

Your search returned 15 hit(s).

1747 - 12/04/2017 15:11:53



Lancashire Constabulary Sleuth Live Sleuth

Missing Persons Search Results - CHILD 2

Welcome PS 1747 Parkinson
No PAYA Canister Issued
Wednesday, April 12, 2017
15:18:09
ASP Version 3.4.0

Select	Name	Log Reference	Status
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20151213-1168	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20160510-1458	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20160709-1392	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20161207-1349	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20170125-1418	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20170127-1361	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20170131-0193	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20170201-1482	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20170202-0267	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20170203-1635	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20170206-0250	Found
<input type="radio"/>	[REDACTED] Bn: [REDACTED]/2002	LC-20170206-1390	Found



■■■■■■■■■■ Bn: ■■■■/2002
■■■■■■■■■■ Bn: ■■■■/2002
■■■■■■■■■■ Bn: ■■■■/2002

LC-20170208-0239
LC-20170211-1432
LC-20170214-1374

Found
Found
Found

Your search returned 15 hit(s).

1747 - 12/04/2017 15:18:01



Blackpool Borough Council

ANTI SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

CLOSURE ORDER

Date TUESDAY 2ND MAY 2017

Premises Address: The Food Lounge, 22 Market Street, Blackpool, FY1

Occupier: Nabil AWAD (aka AWADI) dob;

The Court is satisfied that:-

- (a) That a person has engaged, or (if the order is not made) is likely to engage in disorderly, offensive or criminal behaviour on the premises
- (b) Or
- (c) That the use of the premises has resulted, or (if the order is not made) is likely to result in serious nuisance to members of the public
- (d) Or
- (e) That there has been, or (if the order is not made) is likely to be disorder near these premises associated with the use of these premises and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, occurring or reoccurring.

It is ordered that:-

Address: The Food Lounge, 22 Market Street, Blackpool, FY1 1EX

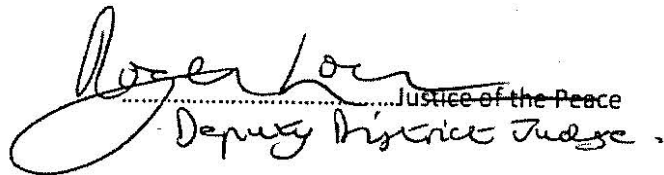
Is closed to All persons persons, until.....

5pm MONDAY 29th MAY 2017

WITH THE EXCEPTION OF NABIL AWADI AND ONE OTHER PERSON AND ONLY THEN FOR THE PURPOSES OF CLEANING

Breach of this order is an offence and is punishable with a fine up to £5,000, imprisonment of 51 weeks or both.

Date 2 MAY 2017


Justice of the Peace
Deputy District Judge

..... Justices' Clerk

This page is intentionally left blank

Blackpool Council Licensing Service				
Representation made by a Responsible Authority				
Responsible Authority				
Name of Responsible Authority	Licensing Authority			
Name of Officer <i>(please print)</i>	Mark Marshall			
Signature of Officer				
Contact telephone number	01253-478493			
Date representation made	04	07	2017	
Do you consider mediation to be appropriate				NO
Premises Details				
Premises Name	Food Lounge			
Address	22 Market Street			
	Blackpool			
Post Code	FY1 1EX			
Details of your representation (Please refer and attach any supporting documentation)				
<p>I write this representation in support of Lancashire Constabulary, having gathered a substantial amount of the complainant evidence which led to the Anti Social Behaviour Closure Notice I can confirm that the Licensing Objectives have been consistently undermined since December 2016 and even as recently as the 23rd June 2017 serious problems were disclosed to the level that the premises was subject to an Emergency Closure by the Food Safety team. Further information regarding the food safety problems will be submitted before the hearing.</p> <p>The premises has been a persistent nuisance with regards to the build-up of refuse which has generated a number of complaints from people who share the same building, a summary of the events has been provided by Danny Stephenson a Waste Control Enforcement Officer for Blackpool Council;</p> <p>Report RE Food Lounge Takeaway on Market Street.</p> <p>The Food Lounge Takeaway is located at 22 Market Street Blackpool in a shared building, which houses several Businesses including West Street Car Park. Shared facilities are inclusive of corridors, fire escapes and a service loading area making working together with service providers paramount to smooth running of all concerned. For some time the Food Lounge has received several visits with regard to poorly managed Waste</p>				

Management practices directly resulting from complaints received.

Complaints ranged from presentation of waste control of waste and storage.

The store was visited in June of 2015 following a request from the owner a Mr Nabil Awaad this was to provide advice on available Waste providers.

As the Business was just starting out and had limited access to store waste Mr Awaad was advised to have a commercial sack contract this was set up to be collected from the front of the store at three times per week with an agreed presentation point.

Several concerns started to come in from our street cleansing department stating that the store was presenting waste every day of the week at various locations in the street this resulted in extra resources being deployed to area to clear waste presented incorrectly.

Mr Awaad was advised to curb this practice and only present waste at an agreed location and on agreed days. Minimal compliance was achieved with continual breaches of presentation still happening.

Complaints were now being received from a Public Transport company housed in the same building stating waste was being stored in the corridor area of the building blocking fire exits and causing foul odours from rotting waste.

As the commercial sack system was clearly not working for the store despite being visited and educated on several occasions Mr Awaad was advised to seek another service provider with a view to using a large receptacle (euro bin).

Mr Awaad then signed an agreement with a company called Biffa this is a national company that specialises in the collection of Business waste in Euro Containers.

Further complaints were received from the Transport company on the 25th of April 2017 with regard to waste not being collected for some time, attached is pictures clearly demonstrating total mis – management of waste.

Biffa was contacted to ascertain as to why the waste was not being collected, they stated that the store was not fulfilling the terms of the service agreement, stating the store was not presenting the waste or providing access as per service agreement.

Pictures received from Biffa demonstrate waste not being presented on several occasions despite the store being advised to allow access.



Pictures received form Biffa demonstrating no access and not presenting waste photos taken over a four visit

period.



Pictures above show accumulation of waste not collected resulting in very strong and disturbing odours of decomposing waste causing on visual inspection the bags were moving and looked alive with an infestation of maggots.



Photos received from Transport Company demonstrating waste not being managed correctly.

For New / Variation Applications only.
It is recommended that the licence should only be granted if the application is amended, or if conditions are applied, as detailed below.

This page is intentionally left blank

Blackpool Council Licensing Service

Representation made by a Responsible Authority in support of an application for the Review of a Premises Licence

Responsible Authority making representation				
Name of Responsible Authority	Blackpool Child Protection Licensing Officer			
Name of Officer (please print)	Louise Scales			
Signature of Officer	<i>L.M. Scales.</i>			
Contact telephone number	01253 477538			
Date representation made	03	07	2017	
Do you consider mediation to be appropriate			NO	
Name of Responsible Authority / Applicant who requested a review of this Licence				
Mark Marshall on behalf of the Licensing Authority				
Premises Details				
Premises Name	Food Lounge			
Address	22 Market Street			
	Blackpool			
Post Code	FY1 1NL			
Details of your representation in support of the review application (Please reference & attach supporting any documentation)				
<p>In my role as Child Protection Licensing Officer I attend the monthly MACSE (Multi – Agency Child Sexual Exploitation) meetings. The Food Lounge 22 market Street has been of concern to the Team as vulnerable children are known to visit the premises.</p> <p>I am aware of an increase in anti- social behaviour involving a large group of youths in the Town Centre and that this group frequent the Food Lounge. This has resulted the granting of a closure order for 5 weeks under section 80 of the Anti- Social Behaviour Crime and Policing Act 2014.</p> <p>I believe that the management of the premises have failed to support the licensing objective of Preventing Crime and Disorder and Protecting Children from Harm.</p> <p>I fully support the Licensing Police in their application to review.</p>				

This page is intentionally left blank