

Blackpool Council

19 September 2017

To: Councillors G Coleman, Humphreys and D Scott

The above members are requested to attend the:

LICENSING PANEL

Thursday, 28 September 2017 at 10.00 am
in Committee Room B, Town Hall, Blackpool

A G E N D A

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

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

(1) the type of interest concerned

(2) the nature of the interest concerned; and

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

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

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

3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

- A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.
- B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- PIZZA LUIGI (Pages 1 - 48)

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

Venue information:

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

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail lennox.beattie@blackpool.gov.uk

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 :	28 September 2017

APPLICATION TO REVIEW A LICENCE – Pizza Luigi

1.0 Purpose of the report:

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

2.0 Recommendation(s):

2.1 The panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

3.1 This application must be determined by a panel.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None, once a review application is submitted it must be considered by the Licensing Panel.

4.0 Background Information

4.1 Pizza Luigi, 3A Dickson Road, Blackpool has the benefit of a premises licence authorising the provision of late night refreshment 23.00 – 05.00 hours Monday to Sunday.

4.2 On 3 August 2017 the licensing service received an application from The Licensing Authority to review this licence on the grounds of the prevention of crime and disorder and prevention of public nuisance. A copy of the application is attached at Appendix 4a.

4.3 Representations in support of the review have been received from Blackpool Council's Child Protection Licensing Officer at Appendix 4b and Lancashire Constabulary at Appendix 4c.

4.4 The licence holder is currently Mr Emad Hammouda.

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 has the following conditions endorsed upon it:

- 1 The premises are to be equipped with a closed circuit television system, which is appropriate to its purpose and provided and maintained to the satisfaction of the enforcement authorities. CCTV recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the enforcement authorities.

- 2 At any time the premises are open to the public after 03.00, the premises licence holder shall employ one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary. On Saturday night / Sunday morning there will be two door staff on duty from 04.00 onwards.
- 3 Any individual employed on the premises to carry out a security activity must be licensed by the SIA.
- 4 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.
- 5 Frequent collection of all litter dropped within the vicinity of the licensed premises to be collected and removed at the licence holder's expense at a frequency of not less than 60 minute intervals during opening hours. This includes washing away to the gutter any spilled food. Litter shall include any used cigarette material that has been discarded by staff and customers.
- 6 The premises licence holder shall provide suitable containers for the storage of waste (to include waste oil), which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. These containers shall be emptied on a regular basis by a Licensed Waste Carrier and Waste Transfer Notes shall be provided to any authorised officer of Blackpool Council as and when required.
- 7 The licensee shall ensure that staff arriving before 09.00 or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.
- 8 Noise from any mechanical ventilation or refrigeration plant shall be inaudible within the nearest sensitive properties or, at the discretion of the Local Authority, shall not exceed some other pre-agreed limit, which does not cause unreasonable disturbance to the residents of these properties or their guests.
- 9 The volume of any recorded music shall not be played at a level that predominates over other activities within the premises and in turn, shall not cause a nuisance or disturbance to any property within close proximity.
- 10 The licence holder shall ensure that adequate ventilation is provided, so as to ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to properties within close proximity.

- 11 The collection and disposal of bottles and refuse should not take place externally between the hours of 22.00 - 08.00.
- 12 Any external light source associated with the premises shall not cause a nuisance or disturbance to any property within close proximity.
- 13 On Saturday night / Sunday morning no order will be taken after 04.45 and the premises will be closed to the public at 05.00.

4.8 Does the information submitted include any exempt information? No

4.9 **List of Appendices:**

Appendix 4a: Review Application submitted by the Licensing Authority
Appendix 4b: Representation from Child Protection Licensing Officer
Appendix 4c: Representation from Lancashire Constabulary

5.0 **Legal considerations:**

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

6.0 **Human Resources considerations:**

6.1 None.

7.0 **Equalities considerations:**

7.1 None.

8.0 **Financial considerations:**

8.1 None.

Appendix 4a

Blackpool Council

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

LICENSING ACT 2003

***Review
requested by:***

Mark Marshall

Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

T: (01253) 47 8572 / 8589
F: (01253) 47 8372

www.blackpool.gov.uk



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. You may wish to keep a copy of the completed form for your records.

I	Mark Marshall, Licensing and Health and Safety Manager
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[insert name of person requesting review]

apply for the review of a premises licence under section 51 or apply for the review of a club premises certificate under section 87, of the Licensing Act 2003 for the premises described in part 1 below.

Part 1 – Premises Details

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

Part 2 – Applicant details

I am:

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

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

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

(2B) Other Applicant or Representing Body

Name															
Address															
						Post Code									
						Post Code									
Telephone No.															
Email Address															

(2C) Responsible Authority applicant

Name	Mark Marshall													
Address	Licensing Authority													
	Municipal Buildings													
						Post Code	F	Y	1				1	N
Telephone Number	01253-478493													
Email Address	Mark.marshall@blackpool.gov.uk													

Part 3 – Reason for Review

This application to review relates to the following licensing objective(s):

	Please tick
1) the prevention of crime and disorder	X
2) public safety	
3) the prevention of public nuisance	X
4) the protection of children from harm	

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

Background Information

This premises was reviewed in March 2015. After the hearing the Committee decided to reduce the hours of trading, imposing a terminal hour of 03.00hrs.

A copy of the decision notice is found below:



Mr M Woosnam
Roland Robinsons and Fentons
85-89 Adelaide Street
Blackpool
FY1 4LX

The Blackpool Council being the licensing authority on the 12th March 2015 received an application from the licensing authority to review the premises licence issued in respect of Pizza Luigi, 3A Dickson Road Blackpool.

The Council have determined to deal with the review by reducing the permitted hours for licensable activities to 23.00 – 03.00 and adding the conditions offered by the licence holder.

Decision

The panel have been considering an application to review the licence issued to Pizza Luigi. The review was submitted by the licensing authority. Representations in support of the review were received from the Police and Health & Safety. Mr Williams represented the three responsible authorities. Mr Woosnam represented the licence holder.

The authorities concerns are documented in the papers submitted in advance of the hearing. This is a takeaway operating in Dickson Road together with a number of similar establishments. In the area there are two venues Flamingo and Kaos which are authorised to sell alcohol until 05.00. The authorities have observed the problems which have been caused by large number of people leaving Flamingo and Kaos and not dispersing. Instead large numbers

remain in the area using the takeaways or just socialising in the street. Street drinkers and youths looking for trouble have also been attracted to this area hoping to take advantage of the vulnerable and intoxicated. These issues are impacting on local residents and workers going about their daily business because calls to disorder can be received up to 6.45 am. Whilst the problems and associated disorder cannot be attributed to individual premises the authorities are of the view that these establishments contribute significantly to the problems because if they were not open for business there would be less incentive for revellers to remain in the area. There have been also waste management problems with the operator not having the correct paperwork and rubbish being removed in black bags. The immediate exterior of the shop is described as being heavily littered with food debris and containers discarded by customers despite the licence condition requiring litter to be removed every hour during opening times.

The panel heard from Mark Marshall, Gareth Shaw and Danny Stephenson about the problems that have been encountered and the on-going efforts to achieve compliance which appear to have had limited effect. Mr Marshall explained that the area had changed following interventions a few years ago to solve problems being experienced by local residents relating to a taxi rank. This had resulted in changes to the entrance/exit to Flamingo. Problems then surfaced on Dickson Road and the area was described as quite shocking and intimidating with customers from the takeaways all over the pavement and road, people attending the area just to cause trouble. Very often takeaways were open until 6.30/6.45. The last 18 months have been spent doing low level interventions. It was apparent that some takeaways dealt with the issues better than others. Street cleansing also reported concerns about Pizza Luigi placing bin bags by public bins when they should have had their own waste contract. It became obvious from site observations that the licence conditions about cleaning the street were not being complied with. The problems resulted in a community protection notice warning being given. A requirement of the warning was to have a member of door staff on duty after 05.00 when the licence conditions ceased to apply. One of the difficulties in enforcing this has been the constant change of management and licence holders at the premises it makes it difficult for the authorities to keep track and maintain compliance. Mr Marshall accepted that the service of the review had sparked some action. Health and safety concerns were also highlighted which had resulted in the service of an improvement notice.

The police evidence from PC Dyson supported the licensing authority view that people leaving Flamingo and Kaos were not going straight home because they had a reason to stay in the area. Doorstaff were not particularly effective because they tended to push the problem onto the street rather than try to head off problems before they flared up. PC Dyson described the area as not an attractive part of Blackpool after 03.00. When trouble was pushed onto the street it became a police and community problem

Mr Bedwi and the licence holder Mohammed Abdelkhalek attended the hearing to speak to the panel. Mr Bedwi indicated that he had become involved with Pizza Luigi at the beginning of the year. He is also manager and licence holder at another takeaway on Dickson Road called Hot Stuff. Mr Bedwi confirmed that the waste carrier problems were now sorted out. He also indicated that he is trying to obtain a 10 year lease on the property for the sum of £10,000 this is currently being dealt with by solicitors. Mr Bedwi told the panel that he had made improvements to the premises and as a result their food hygiene rating had increased from 1* to 3*.

Mr Williams asked the panel to consider revoking the licence or reducing the hours for licensable activities to 23.00 – 03.00. He highlighted the fact that part of the problems was the frequency of licence transfer and an inability to find the person responsible. Mr Bedwi has said he is trying to get a lease but what if this falls through the authorities will be back to square one. The licensing objectives are being undermined as a consequence of the licensable activities taking place at Pizza Luigi. Violent crime and disorder is taking place in the street and there is non-compliance with licence conditions

Mr Woosnam asked the panel to deal with the review by giving the new licence holder a warning and adding conditions to the licence. He argued it was not appropriate or proportionate to reduce the hours or revoke the licence as 70% of income was taken after 03.00 at weekends. Mr Woosnam also referenced other takeaways in the area.

In reaching their decision the panel considered the evidence before them both written and oral. The representatives from the responsible authorities presented balanced views of the area accepting that the problems being caused were not as a direct result of the action of one premises but as a result of the number and nature of the premises in the area. It is clear that problems in Dickson Road in the early hours of the morning need sorting out and it appears that takeaways opening until 05.00 and beyond are contributing to the problems. The panel found Mr Bedwi extremely vague in answering some questions. £10,000 for a lease is not a large amount and even though he took over in January the lease is still not sorted in April.

The panel's duty is to promote the licensing objectives. It is clear that the problems in the area are being caused by the number of similar late night premises in the area. These problems are being exacerbated by the procession of different licence holders which make it difficult for the authorities to make any meaningful engagement and the breach of licence conditions. Whilst the panel must take into consideration the impact on the licence holder, the licensing objectives must be promoted for the benefit of the community as a whole. It is clear that this is not currently happening in this area of Dickson Road. The panel considered the conditions offered by the licence holder but felt that these alone were insufficient to remedy the problems. The appropriate and proportionate way in the opinion of the panel to deal with the issues was to reduce the operating hours to 23.00 – 03.00 and to add the following conditions to the licence:

The existing condition relating to CCTV be removed and replaced with the most up to date condition applicable to CCTV and its operation. Insofar as that condition does not include a requirement for a trained member of staff to be present whenever the premises are open

Condition 5 shall be amended by the addition of the words "Checks will be documented and such checklist be available for inspection by the Licensing Authorities on demand".

ADDITIONAL CONDITIONS

1. The Licence Holder shall ensure that at all times the premises will have its own Registered Waste Carrier.
2. The licence Holder will display on the premises the current Waste Transfer Notice.
3. All staff who have worked on the premises for at least 28 days will receive compliance training as approved by Blackpool Council.
4. The Licence Holder will ensure that at any time that the premises are open a person responsible for the management of the premises will be available to be spoken to within 45 minutes of any request by the Licensing Authorities. The identity of such person will be notified to all persons working at the premises.

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

Date: 27th April 2015

Signed.....

Head of Licensing Services

Licensing Service

Municipal Buildings

PO Box 4

Blackpool

FY1 1NA

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.

Action Following the Hearing

The decision was formally appealed a matter of weeks after the decision was made, Mohamed Bedwi approached the Licensing Authority seeking a dialogue in an attempt to reach an agreement that satisfied all parties attempted to reach a compromise.

The discussions were certainly premature given the close proximity of the Licensing Committee's decision but a line of communication was opened.

Given that the area at that time had 5 takeaways and only 3 were taken to review, the general consensus of opinion was the more takeaways that closed earlier than the clubs the better things would become for quicker dispersal.

The takeaways created an opportunity to protract revellers dispersing from the area, they would have to wait around for food, the takeaways were often busy with queuing customers, once served they would often eat the food in the street. This obviously led to large groups congregating,

hanging around longer than necessary, depositing litter and also the area was a flash point for disorder. Mohamed Bedwi also operated Hot Stuff Kebabs, 18 Dickson Road which was across the road from Pizza Luigi.

An opportunity to close Hot Stuff earlier was seen as a progressive step to minimising the issues of Crime and Disorder in the area.

A tentative offer was made that if improvement was seen at Pizza Luigi over the summer, the Licensing Authority may consider reviewing the opening times on the understanding that the hours were also reduced at Hot Stuff. The overall aim was to try and get the takeaways closed before the mass exodus of customers from Kaos and Flamingo which occurred between 5am and 6am.

As such, discussions took place that a "last orders" condition would be imposed with a further requirement that the premises was closed by 5am, if this method of operating could be implemented on as many premises as possible the opportunity for revellers to hang around and cause problems would be somewhat reduced. In effect a customer leaving Flamingo at 06.00hrs would be left with little option but to get in a taxi and go home, therefore reducing the risk of Night Time Economy Customers clashing with residents or visitors who may be just starting their day.

A number of observations took place over the summer of 2015 and it was clear that the Licensing action had made a marked improvement to the area.

In October 2015 the matter was before Blackpool Magistrates where the Licensing Authority agreed that conditions being added to the licence may be adequate steps to promote the licensing objectives. This decision was taken based upon positive observations and discussions and an agreement that the hours at Hot Stuff, 18 Dickson Road would also be pulled back. The conditions added at the Appeal stage were as follows;

1. On Saturday night/ Sunday morning there will be 2 door staff on duty from 04.00hrs onwards.

2. On Saturday night/ Sunday morning there will be no orders will be taken after 04.45hrs and the premises will be closed to the public at 5.00am.

Present day issues

In July 2017 the police informally reported an increase in problems and incidents around the Dickson Road area; I briefed them on the historical action taken by the Licensing Authority.

On Sunday 30th July 2017 Mark Marshall and Sgt Helen Parkinson attended the area to see that all the takeaways were open and busy full of people, at least 2 of the premises, Pizza Luigi and Heatwave (formerly known as Al Goucha) had the conditions seen above which were implemented following regulatory action.

The visits were to the area were conducted between the hours of 04.40hrs and 05.30hrs. It was clear that the takeaways continued to take orders beyond 04.45 and had no intention of closing the premises at 5am.

The photographs below demonstrate the amount of people in the area and the overall intention of the conditions placed on the licences was to give revellers limited choices but to go home, this protracted dispersal from the area leads to an increase in crime and disorder.

Photos below were taken at 05.05hrs on the 30th July 2017 and show Heatwave, Pizza Luigi is out of the frame but a visit was conducted at 05.10hrs.



On entering Pizza Luigi at 05.10hrs, I saw a man I know as Yousif Amri , he recognised me instantly, I asked to speak with the manager. At this time there were 4 or 5 customers in the shop and no door staff. The shop is only small, approximately 12ft by 10ft of public space, then you have a high counter and a small serving /cooking area behind the counter. The premises have a basement which contains further food storage space and a small office.

Mr Amri went down into the basement and returned with the licence holder, Emad Hammouda, I explained the conditions relating to last orders at 04.45hrs and for the premises to be completely closed by 05.00hrs. Mr Hammouda seemed completely unaware of these conditions despite him being the licence holder since December 2016 and I did not notice any door staff on duty at the premises but did not specifically ask about this as my primary concern was the breach in relation to the opening time.

Conclusion

I believe this premises has been routinely breaching the condition relating to last orders and closure time for a considerable period of time, whether his failure to comply with the requirement to close is a negligent omission or an international one should have no bearing on the committee's

response.

The response should be as a minimum, to restore the original closure time of 03.00hrs, which was imposed in April 2015.

The committee may also be minded to take a position that any Licence holder who does not make themselves aware of any restrictive conditions on their licence and has operated in breach of those conditions is not someone who can be relied on to promote the Licensing Objectives.

I cannot say that Pizza Luigi has solely caused an increase to incidents in the area but their failure to comply with the closure condition has made a contribution to the protraction of any dispersal from the area, and it is this that leads to an increase in crime, nuisance and disorder.

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

Part 4 – Other relevant information

Have you made an application for review relating to this premises before?	Please tick									
	Yes	No								
	X									
If yes please state the date of that application	Day			Month			Year			
	1	2		0	3		2	0	1	5

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


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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.	Please tick	
	Yes	No
	X	
I understand that if I do not comply with the above requirements my application will be rejected	Please tick	
	Yes	No
	X	

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

Part 5 – Signatures (please read guidance note 4)

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

Signed	
Print Name	Mark Marshall
Capacity	Licensing and Health and Safety Manager
Date	3 rd August 2017

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 6)						
Title:	Mr	Mrs	Miss	Ms	Other	
Forenames				Surname		
Address for Correspondence associated with this application						
					Post Code	
Telephone Number	01253 478493			Mobile Number	07796994786	
E-Mail Address	Mark.marshall@blackpool.gov.uk					


Notes for Guidance

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

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 <i>(please print)</i>	Louise Scales			
Signature of Officer	<i>L.M. Scales.</i>			
Contact telephone number	01253 477538			
Date representation made	23	08	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	Pizza Luigi			
Address	3a Dickson Road			
	Blackpool			
Post Code	FY1 2AR			
Details of your representation in support of the review application (Please reference & attach supporting any documentation)				
<p>My role as Child Protection Licensing Officer focusses on managing the various risks that makes both children and adults unsafe.</p> <p>On reading the evidence supplied in the application to review this licence it is clear that the takeaway Pizza Luigi has been operating beyond the terminal hour of 05.00 hours.</p> <p>I believe that the management of the premises have failed to support the licensing objective of Preventing Crime and Disorder and the Prevention of Public Nuisance.</p> <p>I fully support the Licensing Authority in their application to review.</p>				

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Appendix 4c

Blackpool Council Licensing Service				
Representation made by a Responsible Authority In support of an application for the Review of an existing Premises Licence or Club Premises Certificate				
Responsible Authority making representation				
Name of Responsible Authority	Lancashire Constabulary			
Name of Officer <i>(please print)</i>	PS1747 Helen Parkinson			
Signature of Officer	 PS1747.			
Contact telephone number	01253 604074			
Date representation made	31	08	2017	
Do you consider mediation to be appropriate				NO
Name of Responsible Authority / Applicant who requested a review of this Licence				
Mr Mark Marshall – Health and Safety, Blackpool Council				
Premises Details				
Premises Name	Pizza Luigi			
Address	3A Dickson Road			
	Blackpool			
Post Code	FY1 2AX			
Details of your representation in support of the review application (Please reference & attach supporting any documentation)				
<p>The Review is brought by Mark Marshall from Blackpool Council following concern regarding licensing breaches at these premises. This application is made in support of this Review and the Police will present evidence that the Licensing Objectives Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety have been undermined.</p> <p>The premise is situated on Dickson Road and approximately 100meters from the junction with Talbot Road. This particular area of the Town Centre has been very problematic for the Emergency Services for some time and a key reason for this is the fact that many people who have been out on a night out in town hang around this area to get food from one of the four take-aways open throughout the night in this small concentrated area. It creates a 'flash-point' for crime and disorder.</p> <p>Blackpool Police Licensing Department were receiving many reports from officers regarding the issues around the area in the early hours of the morning and also passing on similar concerns that paramedics are experiencing, as they are attending many of the incidents as well.</p>				

As a consequence myself and Mark Marshall from Blackpool Council Licensing Department did checks in the area in the early hours of Sunday 30th July between the hours of 04:40 and 05:30. I was aware at this time that Pizza Luigi had the following conditions on its licence:

- **No food may be served after 04.45 and all members of the public will have left the premises by 05.00.**
- **At any time the premises are open to the public after 03.00, the premises licence holder shall employ one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary. On Saturday night / Sunday morning there will be two door staff on duty from 04.00 onwards.**

On visiting the area we could see that all four take-aways were open and busy, observing many customers coming and going until after 5am. Mark and I entered Pizza Luigi at 05:10hours. At this time there were several customers inside eating food and hot food was being prepared by staff. There was no door staff on duty. We asked to speak to the manager and Licence Holder Emad Hammouda emerged from the basement. He stated he had been the licence holder since December 2016. When asked about the licence conditions he didn't seem to know what we were talking about and just pointed out the Licence Summary that was on the wall. We asked if he was aware of the condition imposed on the licence in relation to last serving time of 04:45 and all public being out of the premises by 05:00. He was totally unaware of this and appeared to be unaware of any of the conditions on the licence.

Following on from this I have looked further into other incidents from the premise that officers have had to deal with.

Since December when Mr Hammouda took over the licence the following breaches can be evidenced:

LC-20170802-0181 – 2nd August at 05:07. Female reporting that a male has been racist towards staff at the take-away and she was offended it.

LC-20170401-0362 – 1st April at 07:35. Mr Hammouda calls himself as he has leant money to a customer who came into the shop at 07:00 and he has not returned. At 07:46 Mr Hammouda states to the operator that he going to bed as he has been working overnight.

LC-20170328-0172 – 28th March at 05:47. Male is assaulted in the Take-away and is bleeding from the face. Crime No WA1705181.

As can clearly be seen from these logs the premises has not be adhering to the condition in relation to taking last orders at 04:45 hours for some time.

Furthermore, not only are these logs examples of licence condition breaches they also demonstrate crime and disorder that is occurring from the premise itself. Other examples of incidents that police are being called to from Pizza Luigi before 5am are:

LC-20170224-0112 – 24th February at 04:34. Female sounding very drunk and in Pizza Luigi and refusing to leave until police get there. Stating staff have taken her money and not given her food. She is screaming and shouting in the store. Staff then speak to operator and ask for assistance in removing her and she is being hostile. – NO DOORSTAFF TO REMOVE HER.

LC-20161227-0261 – 27th December at 04:46. Male has approached victim in the take-away and has punched him to the left side of his face over a misunderstanding. Crime No WA1620293.

LC-20161224-0135 – 24th December at 02:09. Male stating he has been assaulted in the take-away. His head had been smacked against a table and his glasses broken. Transpired to be a fall out with staff. Staff threw a container at male who threw his food back so staff has come round the counter and scuffle ensued where male's glasses were broken.

LC-20161224-0092 – 24th December at 01:24. Female claiming staff have assaulted her. Transpired to be a heated argument between customer and staff.

These incidents coincide with massive crime and disorder problems that are occurring in the immediate area surrounding the premise. A big portion of the issues stem from revellers leaving the late night drinking establishments then hanging around whilst they get food from the take-aways. Not only is this a massive strain on police resources it also causes issues for North West Ambulance Service (NWAS). I have spoken to David Rawling, the Operations Manager for the Fylde Sector. In an e-mail to myself (see Appendix A) he has stated that in the past 12 months for assaults on Queen Street and the area from Talbot Road to Springfield road they have received 115 incidents between the hours of 00:01 and 07:00; 39 of those took place specially at the junction of Queen Street and Dickson Road between the hours of 02:00 and 07:00 – this is almost 45% of the whole area. David is also a serving paramedic who has worked in the Blackpool area and states that from his experience if police are not on scene the paramedics have to request their assistance due to threats of physical violence towards NWAS staff. Furthermore, as Blackpool Victoria Hospital is a leading Heart Specialist Centre patients from all over the North West, inc Manchester and Liverpool will be sent directly to Blackpool via ambulance with any heart conditions. Once these ambulances are in Blackpool they are then being sent to the nearest outstanding job and due to high demand at weekends can often then get stuck in Blackpool responding to jobs leaving other areas short of ambulances.

Appendix B shows photographs of the numbers that leave the nightclubs at once and hang around on the street.

Appendix C provides a summary of the number of incidents and crimes that have occurred in the immediate vicinity of Dickson Road and Queen Street. Our analyst have been asked to focus within the top section of Dickson Road and Queen Street as I am aware both are long roads and looking at them as a whole would likely provide irrelevant and misleading data. As can be seen from the data the majority of incidents occur between the hours of 03:00 and 06:00 and the only drop in days of the week is Wednesday and Thursday (from Tuesday and Wednesday night). The weekend is still the key time but due to promotions on other nights, such as Monday Madness other days are now causing significant issues. A complete breakdown off all incidents shows a high percentage coming in as Assault, duplicate (more than one call about the same incident), nuisance and Police Generate Resource Activity – this is when an officer has requested a log be open for things they have witnessed or arrests. In terms of types of crimes committed Assaults clearly outweigh any other.

There are too many logs to go through them all and I am aware that figures themselves can sometimes be misleading. Here are some examples of incidents officers are being called to in this immediate area at the key times mentioned above. All logs are recorded as occurring on Dickson Road and all on the street between Talbot Road and Springfield Road.

LC-20170826-0271 – 26th August at 05:02 – Group fighting on Dickson Road outside Funny Girls, 2 females and some males physically fighting each other. This then moved across the road and on police arrival at 05:07 the fight was still on-going.

LC-20170726-0165 – 26th July at 04:54 – Male assaulted having been approached by another and punched to the face. Crime number WA1713392 refers.

LC-20170702-0199 – 2nd July at 02:28 – Group of females fighting, lots of hair pulling, they are still screaming at each other.

LC-20170614-0189 and LC-20170614-0188 – 14th July at 05:14 and 05:17. Reports from a taxi driver and from person inside a taxi that males have knives and threatened the informant. Taser officers deployed to the area but males had left scene. Searches conducted in the area and of people matching description but negative result.

LC-20170611-0290 – 11th June at 04:13. Male arrested for assault, resist arrest and Possession with intent to supply. Crime number WA1710266 refers.

LC-20170604-0365 – 4th June at 05:41. Male is being aggressive to another and is getting heated. Others involved are trying to calm him down. Informant concerned it could escalate again. All parties eventually left in taxis at 06:07.

LC-20170602-0196 – 2nd June at 03:40. ROBBERY – Crime WA1709721. Call from NWS. 8 people fighting in the street some having their heads stamped on – call come from passing ambulance who have a patient on board so unable to stop. They are sending an ambulance. Male was getting money from a cash machine when he was surrounded by a group who then punched and kicked him and stamped on him whilst on the floor. Offenders removed cash card and fled the scene

LC-20170601-0189 and LC-20170601-0187 1st June at 04:13. Taxi driver assaulted and 15 people are kicking off. Operator could hear loud disturbance in the background, junc Queen Street. Second log reports group of people have come out of a pub and are pushing each other and getting quite violent. Male arrested drunk and disorderly.

LC-20170523-0162 – 23rd May at 04:48. Police request for more patrols as Flamingos is kicking out and 2 large groups gathering in the street.

LC-20170520-0266 – 20th May at 05:13. Male detained for Affray. Witnessed by officers brandishing a 2ft wooden pole and striking another male to the body during an argument on the street. Crime no. WA1708832.

LC-20170520-0205 – 20th May at 03:12. Someone is giving Spice to people on Dickson Road. He is selling it to people on the corner now junction of Queen St and Dickson Rd.

LC-20170411-0156 – 11th April at 04:51. Male reporting he has been assaulted. A Male has swung for him; inf swerved out of the way and was punched on the collar bone. Crime no. WA1706068.

LC-20170410-0132 – 10th April at 04:02. Informant has just witnessed a male have his face smashed through the window of a parked car. The male is bleeding from the face. Paramedics required. Crime No. WA1706013.

LC-20170403-0176 – 3rd April at 05:28. Caller states 3 males are fighting on the corner of

Dickson Road, they are being physical with each other. One described as a beggar. Near a take-away called Amir's. Sounds of a disturbance can be heard in the background by Operator

Lc-20170403-0154 – 3rd April at 03:58. Very drunken male on the phone saying we are nothing but a bunch a c**** and he pays are wages and we are doing nothing for him. Was very foul mouthed and then cleared the line.

LC-20170319-0309 – 19th March at 06:06. Fight on Dickson Road, its kicking off quite badly.

LC-20170318-0206 – 18th March at 03:00. Male saying there is a big fight and it's all 'kicking off' at the side of the take-away. 20/30 involved. On police arrive it calmed down and no-one would say what had happened.

LC-20161224-0259 – 24th December at 04:53. Call from NWS. 23 yr old male unconscious. Crew are on scene with him being threatened. Amb operator can hear the crew being threatened.

These are a selection and could keep going. However I believe this makes it evident that this is happening regularly throughout the year and a gives a clear indication of the issues the area is suffering from.

I am currently awaiting statements from Response Officers who has expressed a wish to put forward their personal experiences at dealing with incidents in this area.

From the evidence presented Police have serious concerns in relation to how this take-away is being run. It is clear that it is located in an area that suffers from serious issues with crime and disorder due to late night drinking establishments in the area. In such a high risk location the management of such a premise must be of the highest quality with the upkeep of the Licensing Objectives being their main priority.

I am not stating that the issues are down to Pizza Luigi alone. However it is clear that a lot of the disorder is due to people remaining on the streets in this area once they have left the nightclubs to get food. Due to the Licence Holder's lack of knowledge regarding the conditions on the licence and from the police logs it is evident they have not been complying with them and this failure of compliance with the closing time and door staff has made a contribution to the crime and disorder being encountered.

This is the second time this premises has come to review, the first being on 12th March 2015 where the licensing hours were reduced to 03:00hours. In October 2015 the matter was heard at Blackpool Magistrates Court following appeal and the Licensing Authority agreed that the condition in relation to the closing time and door staff as stated above were added to the licence. It is clear that the license holder Mr Hammounda has either taken it upon himself to ignore these conditions and open anyway due to the number of customers in the area at the time or was unaware of them having not read the licence when he took it on.

The Police therefore have similar concerns to those raised by Mr Mark Marshall with regards to the lack of compliance with important Licensing Conditions and are of the Opinion that all the Licensing Objectives are being undermined and fully support Mr Marshall in his Representation. The premise has had an opportunity back in 2015 to sort out how it is being run and improve. The conditions on the licence are not being adhered to and the problems in

the area are significant. Police request that committee, at the very least, restore the original closing time of 03:00hours, imposed in April 2015.

Appendix A

E-mail from David Rawling

North West Ambulance Service (NWAS)

Parkinson, Helen

From: David Rawling <David.Rawling@nwas.nhs.uk>
Sent: 29 August 2017 09:31
To: Parkinson, Helen
Cc: David Rigby
Subject: RE: Issues on Queen Street/Dickson Road, Blackpool

Importance: High

NHS
North West
Ambulance Service
NHS Trust



Morning Helen.

With regards to issues on Queen St / Dickson Rd.

Figures are from 1st Aug 2016 at 00:01 to 23rd Aug 2017 at 07:00.

For assaults on the whole of Queen Street and from Talbot Rd to Springfield Rd there were a total of 115 incidents. 39 of these incidents took place at the junction in question and between the hours of 02:00 and 07:00.

This equates to almost 45% of assaults for the whole of Queen St.

I also looked at overdoses (this was all including drink and drug related)and also reported mental health issues, a total of 84 incidents with only 3 within your criteria.

As you can see there does appear to be an issue around this area?

Speaking from experience if your officers are not at scene they are quite often requested for threats of physical violence to Nwas staff.

I hope this information will be useful to you?

Please contact me if you require anything further?

Regards

Dave

David Rawling

Acting Operations Manager
North West Ambulance Service
Fylde Sector
07812305357
01772905200
David.rawling@nwas.nhs.uk

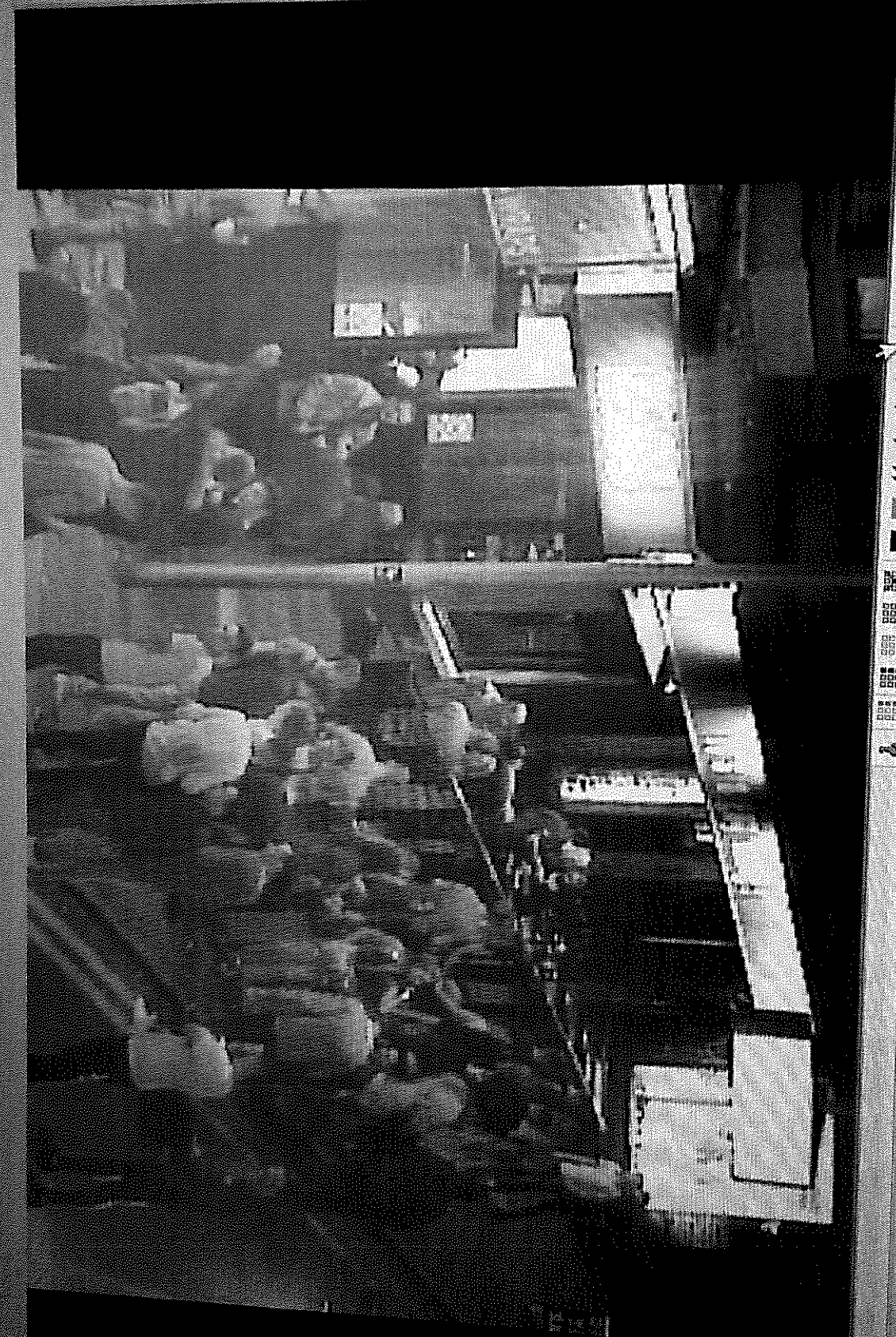
hcpc health & care
professions
council

Appendix B

Photographs showing groups leaving the Nightclubs and hanging around on the streets.

Photo 1 & 2 are from CCTV at 04:10hours on Tuesday 8th August following 'Monday Madness'

Photo 3 is showing people spilling into the road hanging around on Saturday 5th August at 05:11hours



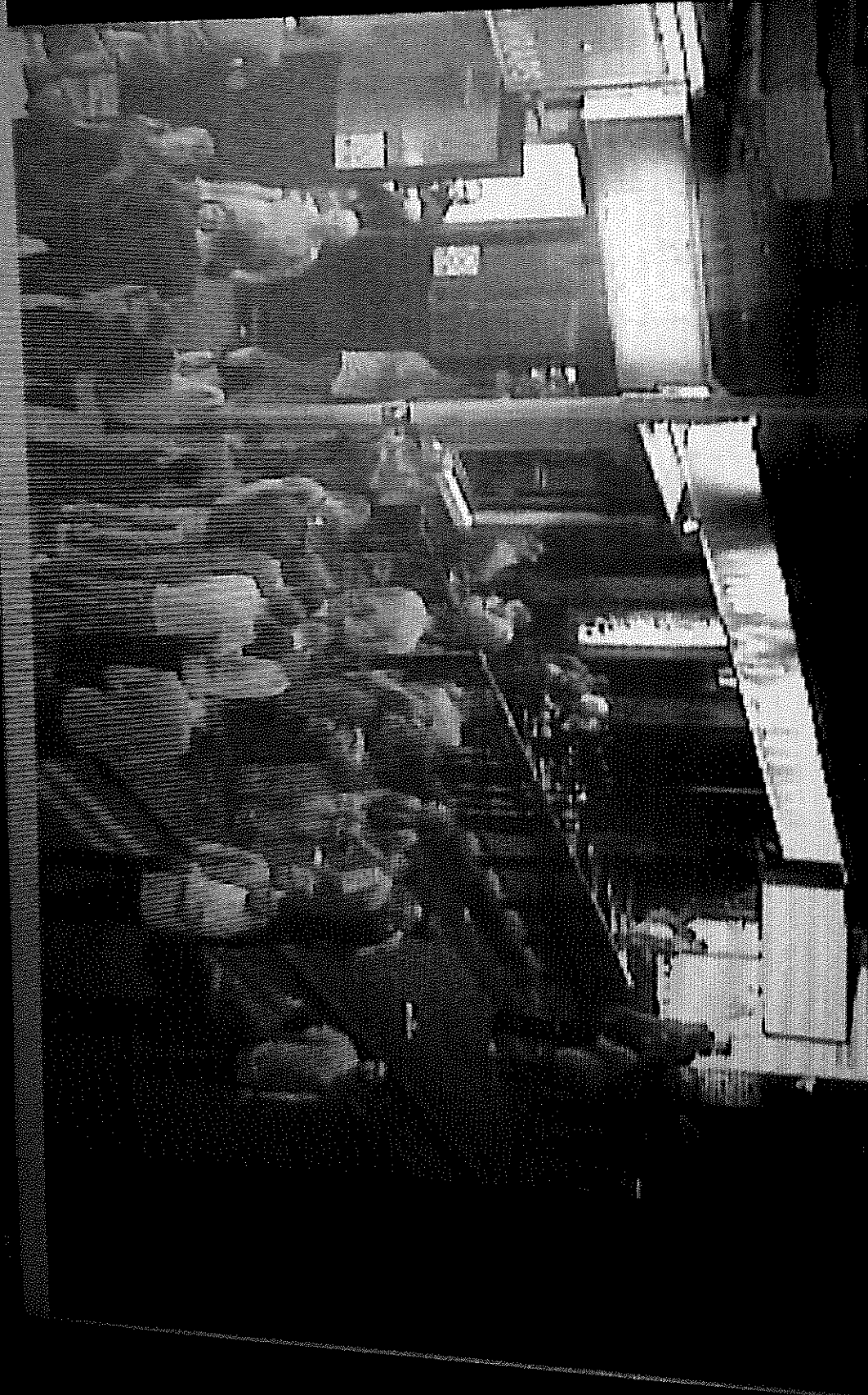




Photo 3

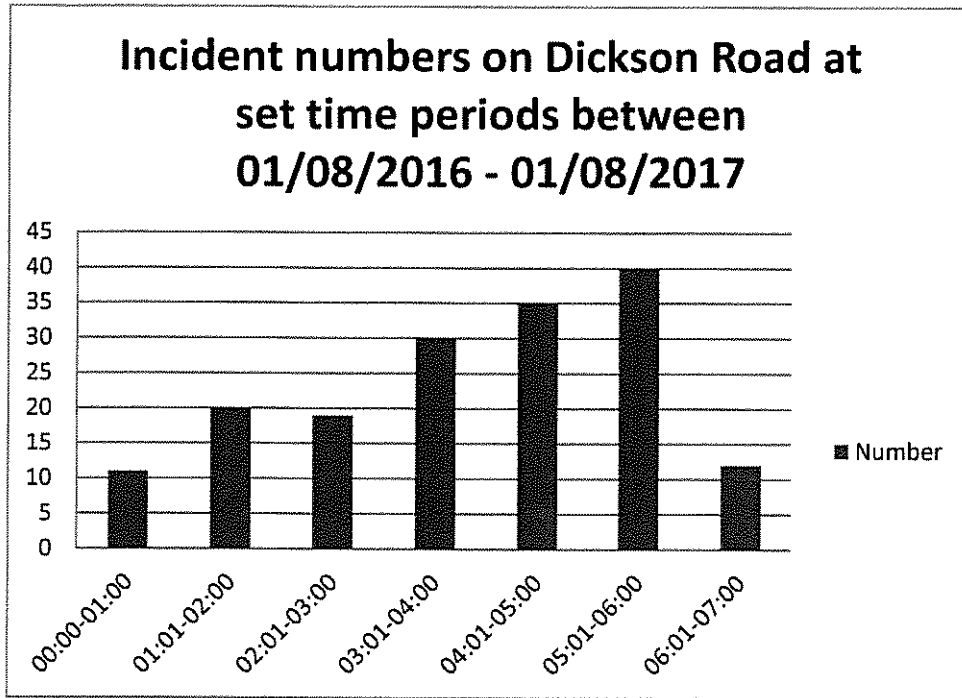
Appendix C

Incident/Crime figures for Dickson Road / Queen St

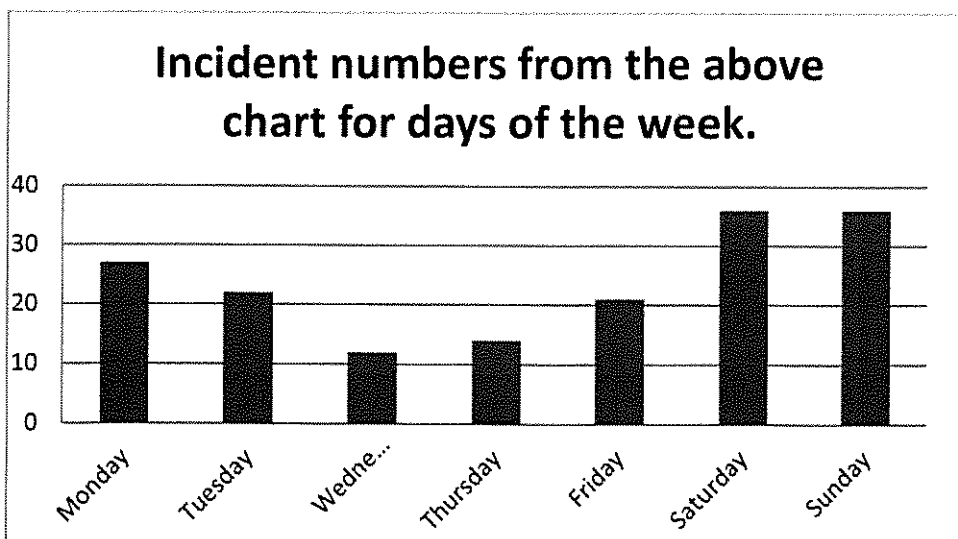
A summary of issues around Dickson Road by the take-aways in the early hours.

A basic search through the Police system for the area of Dickson Road near to Talbot Road and Queen Street during the time period midnight to 07:00 over the past year (13/08/2016 – 13/08/2017) has clearly highlighted some issues around specific times.

A total of 57 out of 169 of these incidents have been sent out as Grade 1 incidents.



As indicated in the above table the peak times are between 03:01 and 06:00. **62.1%** of all the incidents between these midnight and 07:00 hours occur during the peak times.



Crimes committed in vicinity of Dickson Road/ Queen Street 01/08/2016 – 31/07/2017 between 2am – 6.30am

The highest number of crimes recorded are for assault/wounding with equates to 49 out of 89 of the crimes. Other crimes committed are rape of a female, robbery, theft, public Order offences and homophobic incidents etc.

Statistically the offences predominantly take place in the early hours on a Sunday, Saturday and Tuesday morning. Sunday and Saturdays can arguably be the result of the people going out on a Friday and Saturday night. Tuesday morning appears to be the aftermath of 'Monday Madness'.

Row Labels	Count of Class Decode
Assault With Injury	36
Assault without Injury	7
Assault without Injury on a Constable	1
Burglary – Business and community	3
Criminal Damage To Other Buildings	2
Dangerous Driving	1
Homophobic Incident	1
Other Public Order Offences	2
Other Theft or Unauthorised Taking	14
Rape of Female Aged 16 and over	1
Robbery of Personal Property	1
Stealing Motor Vehicles OR UTMV	1
Theft - Making Off Without Payment	1
Theft from the Person	11
Theft from Vehicle	1
Trafficking in Controlled Drugs	1
Wounding	5
Grand Total	89

Monday	10
Tuesday	18
Wednesday	7
Thursday	10
Friday	8
Saturday	14
Sunday	24

Incidents in vicinity of Dickson Road/ Queen Street 01/08/2016 – 31/07/2017 between 2am – 6.30am

The highest number of incidents recorded are for assault which equates to 95 out of 375 incidents recorded. Burglary, concern for safety, criminal damage, nuisance, public order, robbery, theft and domestic incidents feature as the most common incidents to occur during these hours.

Statistically the offences predominantly take place in the early hours on a Sunday, Saturday and Tuesday morning. Sunday and Saturdays can arguably be the result of the people going out on a Friday and Saturday night. Tuesday morning appears to be the aftermath of 'Monday Madness'.

Row Labels	Count of Class Decode
Abandoned Call	6
ABSENT	1
Alarm - Audible Only	1
Alarm - Central Monitoring Station	1
Assault	95
Bail / Curfew: Checks / Breach	1
Burglary	5
Civil Dispute	1
Collapse / Illness / Injury / Trapped	9
Concern for Safety	16
Criminal Damage Excluding Vehicles	5
Domestic Incident	9
Duplicate	39
Fraud/Forgery	2
Hoax calls to the emergency services	5
Insecure Premises/Vehicles	1
Licensing	1
Lost / recovered property / Found person	4
Message	4
Nuisance	37
Personal	16
Police Generated Resource Activity	33
Public Order	17
Pursuit	1
Road Related Offence	6
Robbery	5
RTC - Damage Only	1
Suspicious Circumstances	36
Theft	15
Vehicle Crime	2
Grand Total	375

Monday	50
Tuesday	56
Wednesday	38
Thursday	40
Friday	44
Saturday	63
Sunday	84

Appendix D

Statement from Inspector James Martin

Neighbourhood Policing Sergeant Blackpool Town Centre



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

Signature:..... (witness) Date: 28/08/2017

I am Police Inspector 410 James MARTIN of Lancashire Police, currently based at Blackpool Police Station.

I am currently the Neighbourhood Policing Inspector for Blackpool North and Central, which includes the ward areas of Claremont and Town Centre. I have held this role for 3years and 3months.

Previous positions and experiences I have held within the Police Service include between 2011 and 2013 been the Lancaster, Morecambe and Fleetwood Divisional Licensing Officer, with responsibility to represent the Police as a Responsible Authority, working with Wyre Borough Council and Lancaster City Council. I have experience of employing the Licensing Act 2003 and the Act guidance issued and have conducted numerous Licence Premise Reviews and objections.

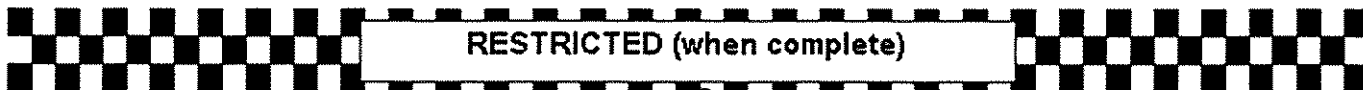
Prior to working within Lancashire Police, I was an officer in the West Midlands Police Service and spent time Policing Birmingham City Centre as both an Immediate Response Supervisor and Neighbourhood Policing Sergeant, during which time I held responsibilities for and regularly policed the Night-time Economy areas within Birmingham City Centre.

Throughout my Police career I have worked in Uniformed Police roles and have 16years experience of Policing Night-time Economies and the associated alcohol fuelled violence and disorder in towns and cities such as Solihull, Birmingham, Coventry, Lancaster, Morecambe, Fleetwood and most recently Blackpool.

With regards my current role I am involved with the Blackpool Night-Time Economy Working Group and currently working on actions that support Blackpool's Council application for Purple Flag status, which will represent Blackpool as having a safe and vibrant Night-time Economy.

As part of my role as the Neighbourhood Policing Inspector I am required to continually assess Risk and Threats within Blackpool Town Centre and monitor levels of crime, disorder

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and anti-social behaviour. At present I would determine that Blackpool Town Centre is at high risk of repeated violence, disorder and alcohol fuelled anti-social behaviour within its Night-time economy.

I can confidently state that areas within the Town Centre, such as Market Street, Queen Street, Dickson Road and Bank Hey Street are high risk locations concerning violence and anti-social behaviour.

Since 01st January 2017 until 08th August 2017 there has been reported to Police 99 crimes of Violence and assaults whereby the offence location has been given as Queen Street, Dickson Road or Town Centre (Police Incident Location Beat WA39), and the offence time recorded between 11pm and 7am. Of these 99 assaults, 42 offences have taken place on or after 3am.

Based on these crime figures just under half of all reports of assault in these areas take place after 3am and prior to 7am.

I am aware that Lancashire Police Licensing have submitted Review of Licence concerning two premises on Dickson Road, that serve hot foot between the hours of 11pm and 5am under the rules of the Licensing Act 2003. These premises are Heatwave, Dickson Road and Pizza Luigi, Dickson Road, Blackpool.

In support of Blackpool Police Licensing I would like to raise serious concerns regarding the activities of both premises and their operating procedures. As the Town Centre Policing Inspector I fully support the applications for Review.

On most evening the Night-time Economy and the Day-time Economy has a 'buffer' period between 4am and 7am, whereby the provision of alcohol in Blackpool is vastly reduced and as a result of this most persons intoxicated from consuming alcohol within the Night-time economy have left the area, meaning the start of the Day-time economy is met with a period of calm and the buffer zone also allows for Blackpool Council to carry out environmental duties to make the Town Centre clean and tidy for the Day-Time economy to begin.

A number of Late-Night refreshment locations, including both Pizza Luigi and Heatwave, dramatically effect this 'buffer zone' by operating beyond these periods and providing hot-food to people who are intoxicated. This provision causes a delay to persons leaving the local area and also provides an opportunity for people to loiter in the area. Whilst the provision of hot food after 5am is not a Licensable activity, the time prior to this is, and the owners and management of both Pizza Luigi and Heatwave therefore have roles and responsibilities under the Licensing Act to prevent Crime and Disorder and prevent public nuisance.

It is my view that these responsibilities should be of paramount importance from 11pm when these locations are open and this means upholding all licensing conditions and understanding that poorly managed premises such as these directly affect the safety of the public in the local area.

CCTV, security, access to community radios, strong management and close adherence to opening and closing times are vitally important. Failure in these areas I can state contributes

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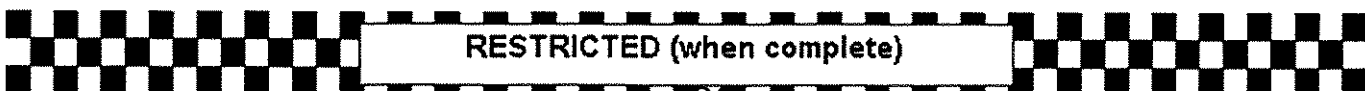


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to alcohol fuelled crime and disorder.

Those premises failing to uphold the Licensing Act objectives need to be challenged and supported and Lancashire Police Licensing undertake both. Failure to take notice of that support and challenge clearly undermines the Licensing Act and makes this area of Blackpool more unsafe when viewed in the context of alcohol fuelled crime and disorder.

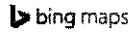
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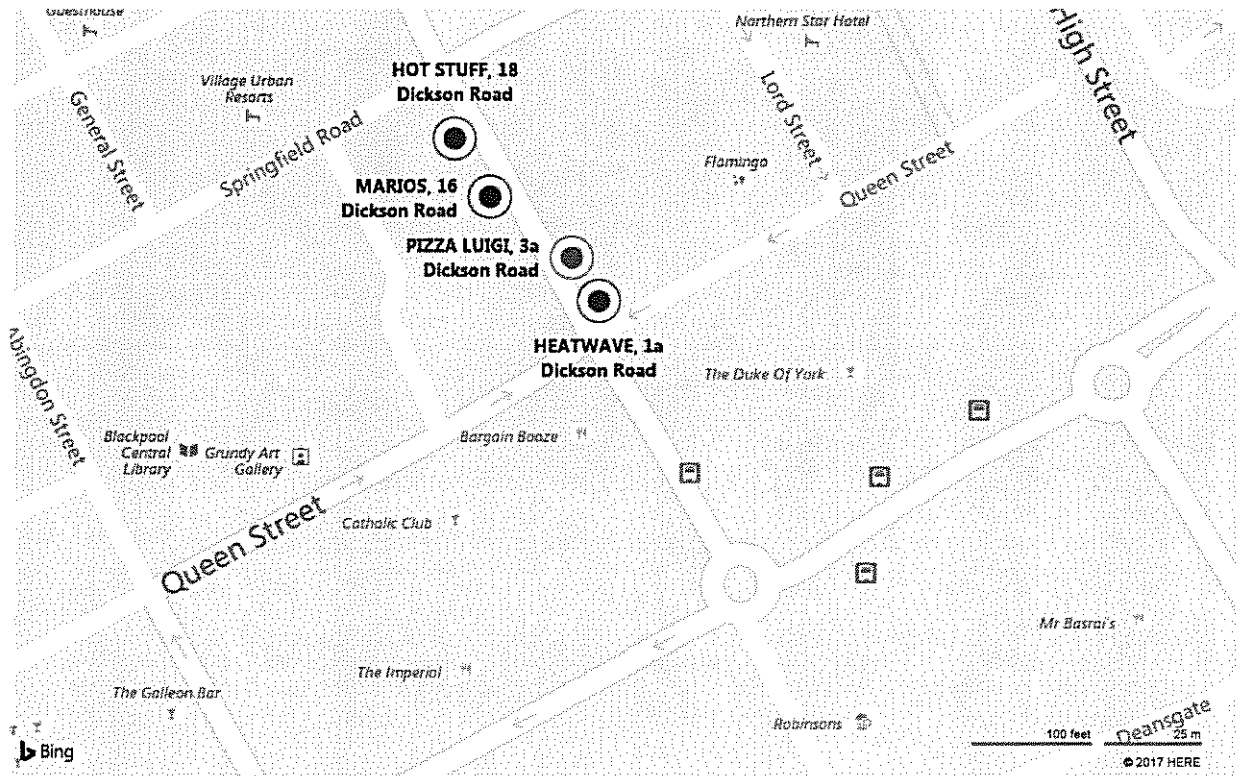
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Appendix E

Map showing the area where the take-aways are situated and where the incident logs have been taken from



Type your notes here.



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WITNESS STATEMENT

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

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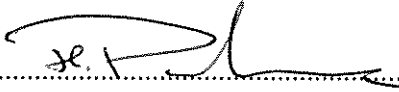
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Statement of: Helen Parkinson

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

Occupation: Police Officer

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.

Signature:  PS:342 (witness) Date: 13/09/2017

I am Police Sergeant Helen Parkinson of Lancashire Constabulary currently based at Bispham Police Station.

I am the Licensing Sergeant for West Division covering Blackpool, Fylde, Wyre, Lancaster and Morecambe. I have held this post since July 2016.

On Sunday 10th September 2017 I was on duty covering the Blackpool area. At 02:00hours I based myself in the CCTV room at Blackpool Central Police Station to observe the activities in the town centre as a whole. At approximately 03:30 hours I was observing some suspicious activity on Dickson road when my attention was drawn to inside Heatwave. At 03:38hours I observed a disturbance inside where the member of door staff is trying to eject someone but then many other get involved and a large fight breaks out. The doorman requires the aid of 3 others from the nearby premises of Kaos, Marios and Hot Stuff to clear the premises.

A copy of the CCTV footage has been obtained and I exhibit it as HP1747/01. I have provided copies of this footage to the Council also. The breakdown of the footage is as follows:

At 03:31- 03:35 there appears to be some kind of confrontation between two parties sat at tables in the windows.

03:35 - 03:38 - Although separate from the public order issue two people, a male and female are seen hanging around outside Heatwave. Their behaviour is very suspicious.

03:38 - 03:41 Large disturbance breaks out inside Heatwave.

As officers in the CCTV Control room have use of a police radio they were able to call up and ask for Police assistance. No other call was made to police from any party, including the staff at Heatwave.

03:43 Police arrive on scene but by this time the security staff had cleared the take-away.

Signature:  Signature Witnessed by

Page 1

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Had this incident not been witnessed on CCTV there would have been no record of it as no calls were made to the police.

Following this I continued to monitor the area to ensure that any perpetrators had left the area. Between 03:55 - 04:00 hours the build-up of public coming out of the licensed premises and heading for the take-aways can clearly be seen.

Whilst checking the area it was also noted that there was no security staff working at Pizza Luigi. Furthermore when I left the CCTV room and headed back to Bispham at 04:10hours I drove down Dickson Road and as I passed Pizza Luigi I stopped and looked inside. There was no security staff working.

Pizza Luigi has a condition on its licence as follows:

At any time the premises are open to the public after 03.00, the premises licence holder shall employ one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary. On Saturday night / Sunday morning there will be two door staff on duty from 04.00 onwards.

As there was no door staff on duty the premises has breached the condition on its licence and committed an offence under section 136 (1) of The Licensing Act 2003.

Je. J PS1721

Signature.....*Je. J*.....PS1721.....Signature Witnessed by



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WITNESS STATEMENT

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

URN

Statement of: **Scott Sanders**

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

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: 30.08.2017

I am Police Sergeant 2187 Scott Sanders of the Lancashire Constabulary based in Blackpool.

I have been a Police Officer in Blackpool since 1993 and have been based in each of the three stations at Bispham, Central and South. I have also worked in various roles, all of which have been operational uniform policing.

My current role is as an Immediate Response Sergeant. I am one of three Sergeants who supervise a team of uniform Constables. I first had this position in 2007 and then moved to custody for a number of years before taking up the role again in 2014 to the present time.

The area that we cover stretches from Gynn Square in Blackpool through to the Lea Gate Public House on Blackpool Road, Preston. It includes not only Blackpool but the towns and villages of St. Annes, Lytham, Kirkham, Freckleton, Staining and Newton.

For operational security I will not disclose how many officers are where at any one time. Suffice to say that we spread the team across the geographical area in order to best meet response times for emergencies and provide reassurance to the numerous communities we police.

Policing the town centre of Blackpool has always been a challenge and I have experienced a number of Constabulary structures and interventions that have been put in place to reduce the crime and disorder that comes from a night time economy which is based on the

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consumption of alcohol.

The current structure is to move the shift pattern of officers working on Friday and Saturday nights resulting in an overlap of 2 shifts until the early hours. This is difficult and disruptive for the officers as it causes them to work what are additional night shifts. However it is essential as the number of officers on a single team is not sufficient to cope with the demands of the town centre.

When I first joined Lancashire Police the Blackpool town centre night time economy would mainly consist of licensed premises on Market Street and in Talbot Square. These premises would be closed by 3am and the revellers disperse shortly after.

This centre has now moved north to Queen Street and the junction of Queen Street and Dickson Road.

We now have a situation where food and drink establishments are open until the very early hours and the drunk and drugged revellers are sharing a public space with people who are going about their daily business between the hours of 5 and 7am.

I have witnessed this myself where bus drivers have to drive around drunks in the road, street sweepers working around people sat in the gutter and people stood waiting for buses trying to avoid confrontation with loud and abusive drunks.

The days of the week are now not exclusive to Friday and Saturday but also include Sunday and particularly Monday nights, into Tuesday morning (known locally as Monday Madness). These are not nights that are covered by the additional police staffing.

As I have mentioned I have a significant amount of policing experience in Blackpool and I can say that the situation developing in the Dickson Road / Queen Street area is such that it is only a matter of time before serious harm is caused to a person.

There are a huge number of variables for this to happen but the crux is the volume of drunk and drugged people in a small locality on a busy road with very limited police resources.

I am conscious that buildings and businesses are not themselves responsible for disorder, that is the people. What has been created is an environment for the crime and disorder to be more likely. This cannot be mitigated by police presence alone.

There are a number of licensed premises that I feel are responsible for the disorder that we are experiencing and these are as follows

Kaos. This has a late night licence and people leave the premises heavily under the influence of alcohol.

Heatwave (formerly Amirs) Takeaway. This premises is a magnet for missing children. We often remove vulnerable children who are in the care of the local authority from the area

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immediately outside and even inside this premises.

At 0500 hours on 16th July 2017 I was on duty when I removed a 13 year old boy from Heatwave. He was very young looking and had I not know then I would have put him at 10 or 11 years. I now know he is from an unsettled and difficult family setting. This together with the time of night and the heavy footfall of intoxicated adults made him very vulnerable.

I removed him to a place of safety and spoke to the premises manager Ataf Saab 22.11.1979. He told me that the child was just waiting to be served his food. I also noted that the door security officer had done nothing to prevent the childs entry or even report his presence to police.

Standing outside was another child who is regularly missing and who again is very young looking. He was mingling with intoxicated adults who had left Kaos.

We should be aware that there is always a reason children gravitate to a place. The reasons may be subtle and not threatening to the child but when explored in greater depth can be found to have other far more devious motives. An example would be giving a child money for chips or other food. It seems innocuous enough but this suggestion of friendship can be grooming and lead to serious harm to the child. The same goes for drugs, tobacco and alcohol.

I do not know if this is how the 13 year old was funding his 5am food order but it is not unheard of and we all have responsibility to protect young people.

I am not accusing any of the premises of being involved in offences against children but there is a reason they are there. Surely a young person would go to McDonalds for free Wifi and a burger ?

Heat wave regularly has customers around and inside past 5am. I suspect they take orders and receive monies prior to this time but continue preparing the orders and fail to remove customers long after this time.

Pizza Luigi. This appears to operate in a similar way Heatwave in terms of its operating hours.

Marios and Hotstuff. These are on the opposite side of the road but are magnets for those who want to eat and not leave the area. This is because the bench seating inside makes it a comfortable place to sit and eat.

All of these premises are difficult when asked to provide CCTV evidence from their systems. I have a team member who has made repeated recent requests of Marios and is still waiting for this important evidence.

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The combination of these premises, the late opening hours, the numbers of people who are worse the wear for drink and the limited police resources should be a cause of concern for everyone involved in creating a safer place for the residents and visitors of Blackpool.

The Police are drawn consistently into this area and this is not always due to logs being made out from the control room. Dickson Road is a main arterial route and just travelling through this area can cause officers to feel compelled to remain and provide a visible presence. Should they not remain they are aware that situations deteriorate quickly and from nuisance and disorder we can quickly be dealing with assault or other serious crime.

I have also had to bring in resources from Fleetwood, Lytham and South Shore in order to provide sufficient resilience and support for the Blackpool town centre officers. This leaves those communities being unpoliced and response times to emergencies unnecessarily aggravated. Again this is not always reflected in individual Police Resource logs as the moving of staff does not in its self require such documenting.

The late night licenses in this area have made it the go to area for the revellers who want to continue drinking alcohol until 5am and then eat food and hang around for another few hours. This is not the café culture that some may perceive. It is about drinking to excess then grabbing a kebab and chips. It is a threatening and hostile environment.

The quickest and most decisive way to combat this increasing problem is to curtail the opening hours of these premises. I understand that this will be unpopular with some but Blackpool has to decide what type of town it wants to be. The Police alone are unable to tackle this problem and we must have the support of other agencies.

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WITNESS STATEMENT

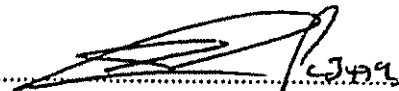
Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC 3459 Michael McVEIGH

Age if under 18: Over 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.

Signature:  (witness) Date: 13/08/2017

I am PC 3459 McVEIGH of the Lancashire Constabulary currently attached to Blackpool Central Police Office on Immediate Response Duties. I have an up to date officer safety training record and have been trained and authorised to carry X26 Taser since September 2009.

The following statement relates to public order issues encountered around KAOS, FLAMINGOS nightclubs and AMIR'S takeaway between the hours of 04:00 and 06:00 in Blackpool Town Centre.

As part of my role as an Immediate Response Officer in Blackpool I have regular cause to attend incidents in the town centre along with performing town centre foot patrol dealing with the night time economy.

I have 13 years operational experience and I am well versed in dealing with public order incidents, having spent two of those years working as a member of the operational support unit.

At peak times, usually weekends there have been considerable issues arising between the hours of 04:00 and 06:00 hours outside the nightclubs and takeaways situated around the junction of DICKSON ROAD and QUEENS STREET. There is a regular occurrence of a mass migration of drunk/drugged people at around 04:00 hours towards KAOS and FLAMINGOS Nightclub, due to those being the only open clubs at this time. I have observed on several occasions heavily intoxicated people being allowed entry into these clubs unchallenged.

When these nightclubs close there is again another mass influx of people out on to the street, again heavily intoxicated and under the influence. This results in large scale public order incidents/assaults and calls to vulnerable people. This in turn has a massive impact on

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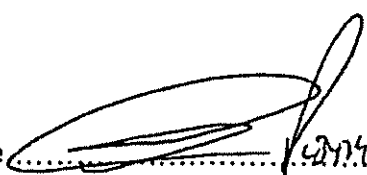

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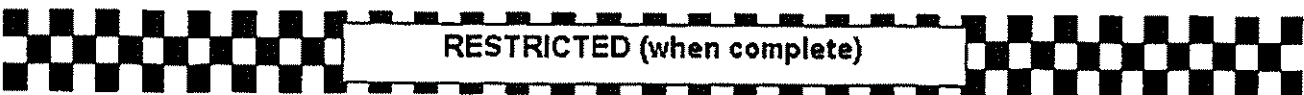


operational demand with there simply being insufficient officers to deal with the incidents created.

In addition to both KAOS and FLAMINGOS being open into the early hours I have also observed AMIR'S takeaway open and serving people past 05:00 hours in the morning, as I understand it breaching their licensing conditions. This only serves to keep people in the area and prevents the natural dispersal of crowds forming in the street.

It is my opinion that due to KAOS, FLAMINGOS and AMIR's takeaway having extended licensing hours directly contribute to public order incidents and excessive demand being placed on the emergency services. It is my view that serious consideration should be given to reducing these hours back in line with the rest of the town centre venues to combat this.

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WITNESS STATEMENT

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

Statement of: Darren Woodley

URN

Age (if under 18): N/A

Occupation:

I am an immediate response officer based at Blackpool central Police Station and have been for almost 12 years. I work a variety of shifts including nights. During my time in this role I have regularly attended incidents on Dickson road and Queen Street, particularly between the hours of 02:00 and 07:00 hours, most days of the week.

The extended licensing hours of The Flamingo and Kaos clubs on Queen Street have led to disorder in the area once patrons leave the venues. Once outside they then visit one of the nearby takeaway premises before leaving the area, either by foot or taxi.

There are often flashpoint situations inside or around the takeaways where intoxicated people are gathered. As I have already stated, this can be up to 07:00 hours and sometimes beyond. I have frequently dealt with disorder in the area and members of the public have walked by on their way to work.

I have been in the area numerous times with colleagues who have attended from across the division to deal with disorder and had to disperse large groups of people from the area. This has included officers from Blackpool south and Fleetwood as well as the officers covering the town centre. I believe this is occurring because people are hanging around the takeaways rather than going home once the clubs close. Ambulances have also been called to deal with injury and intoxication.

This is clearly a strain on resources, having to deal with regular disorder in the early hours that has been going on for a long period of time and not been adequately addressed in terms of managing licensing hours of the involved premises.

This statement 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 of witness:



Date: 31/08/2017 19:27