


Appendix 4c

<p>Blackpool Council Licensing Service</p> <p>Representation made by a Responsible Authority In support of an application for the Review of an existing Premises Licence or Club Premises Certificate</p>				
Responsible Authority making representation				
Name of Responsible Authority		Lancashire Constabulary		
Name of Officer <i>(please print)</i>		PS1747 Helen Parkinson		
Signature of Officer				
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		Heatwave		
Address		1A 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 all the Licensing Objectives have been undermined.</p> <p>The premise is situated at the top end of Queen Street on the junction of Dickson Road and approximately 50meters from the junction with Talbot Road. Heatwave has previously been called Amir's and before that Al Goucha. Evidence presented will refer to the premises in a mixture of these names. 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</p>				

well.

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 Heatwave had the following condition 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.**

We sat across the road from Heatwave and observed many customers coming and going until after 5am with all the lights on and a neon/led 'Open' sign illuminated in the window. Mark and I entered Heatwave at 05:16hours and Mark spoke to a male behind the counter who I now know to be the licence holder, Sraj Alosch. I would estimate approximately 10 customers inside at the time with people coming and going throughout the visit, orders were being taken and money changing hands. Mark asked Mr Alosch why he was open at this time and he couldn't provide an answer, he confirmed he was aware of the above condition on his licence and conceded that he shouldn't be open. After we left Mr Alosch closed the shop.

Recently I have been contacted by Sergeant Scott Sanders from Blackpool Central Immediate Response Team expressing concerns regarding an incident at Heatwave on 16th July 2017. Police were called to report of a disturbance at the take-away just before 5am on 16th July. When Sgt Sanders arrived he noticed a young male inside the take-away. Due to the time of night he was concerned and went and spoke to him. The male initially gave false details but was then identified as a 13year old local youth. Sgt Sanders spoke to the member of door staff on duty Adrian Roberts asking why the youth was inside. He stated that he must have snuck in whilst he was dealing with a fight. Sgt Sanders also spoke to the manager on the night Ataf Saab who could provide no explanation as to why staff were serving food to a child at 5am.

Incident log LC-20170716-0321 refers to this incident. So, not only was the premise in breach of the condition highlighted above to stop serving at 04:45 and close by 05:00 there were also in breach of a second condition:

- **No persons under the age of 16 will be allowed on the premises after 23.00 hours.**

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

An example of when both the highlighted conditions have been breached is as follows:

LC-20170316-0137 refers to a call taken at 05:34 hours on 16th March 2017 from Heatwave stating they were having problems with a 16year old female in the premises and had concerns for her as they thought she maybe on drugs and she was refusing to leave. Although credit that they called with concerns for her, due to her age and the time, firstly she should not have been allowed in in the first place and secondly the shop shouldn't have been open.

Other breaches found are:

LC-20170703-0137 – 3rd July at 05:10. There is fight in Heatwave. Public and door staff are restraining people, 5-6 involved. Operator can hear disturbance in background.

LC-20170514-0315 – 14th May at 06:23. A male causing a disturbance at Heatwave, trying to kick the windows

LC-20170319-0300 – 19th March at 05:49. Caller stating that a wanted male is currently inside Heatwave.

LC-20170129-0349 – 29th January at 06:12. Caller reporting he had just been punched inside Amir's takeaway and the offender was still inside.

LC-20161015-0278 – 15th October at 06:34. Report of a fight outside Amir's. Staff from Amir's are arguing with customers over a lost wallet.

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. A couple of other examples of incidents that police are being called to from Heatwave before 5am are:

LC-20170715-1597 – 15th July at 22:17. Report of a very drunk starting on two people for no reason then began being aggressive to the informant. Operator could hear shouting in the background.

LC-20170620-0199 – 20th June at 04:28. Report of a drunken female inside the premise shouting racist abuse, she can be heard shouting by the phone operator.

LC-20160501-0262 – 1st May at 04:51 Male arrested for assault and possession Class A inside Amir's takeaway.

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 12months 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 number 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 of 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 NWAS. 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 all these issues are caused by Heatwave alone. However it is clear that a lot of the disorder is due to people hanging around after coming out of the nightclubs and getting food. The evidence provided shows that Mr Alesh's failure to comply with the condition to close at 5am has had an impact and contributed to keeping these people in the area which in turn increases crime and disorder.

This is the second time this premises has come to review, the first being on 21st May 2015

where the licensing hours were reduced. On 10th November 2015 a variation was submitted to extend opening hours to 04:45 and all customers to be out by 05:00. In order to work with the premises and give them an opportunity to improve the running of the establishment this condition was agreed by all parties. It is clear that the license holder Mr Alesh has taken it upon himself to ignore this condition and open anyway due to the number of customers in the area at the time. His priority being to make money and not the upkeep of the licensing objectives. This is further demonstrated by the fact his staff has allowed a 13yr old to purchase food at 5am on a busy weekend night.

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 was given the opportunity to show an improvement back in 2015 and has failed to do so and in the process shown a complete lack of respect for the keeping to Licensing Conditions and upholding the Licensing objectives. The addition of door staff alone has had minimal effect. The Police therefore request that as a minimum the Committee consider a reduction of Licensing Hours to 3am.

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
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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



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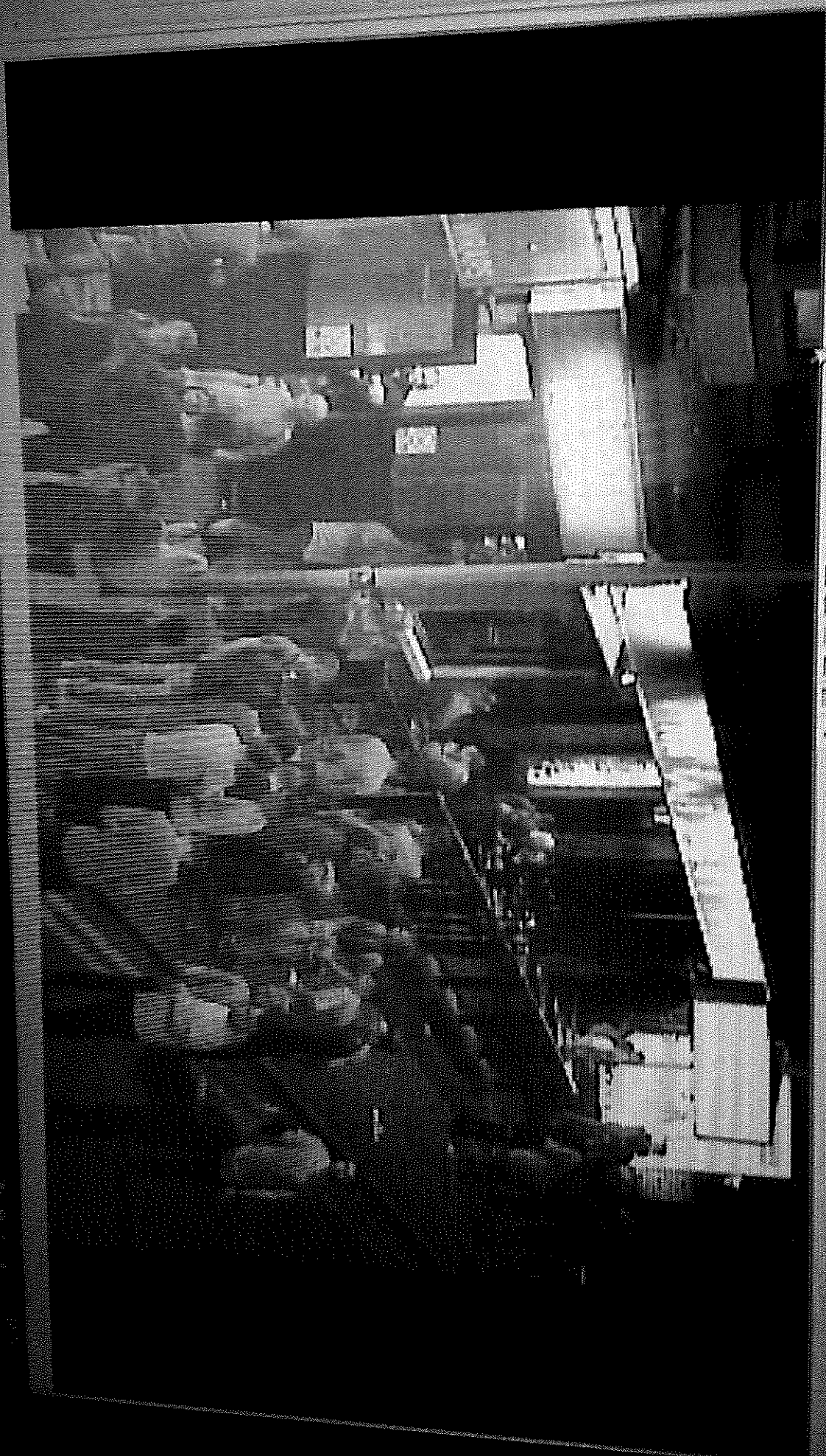




Photo 3

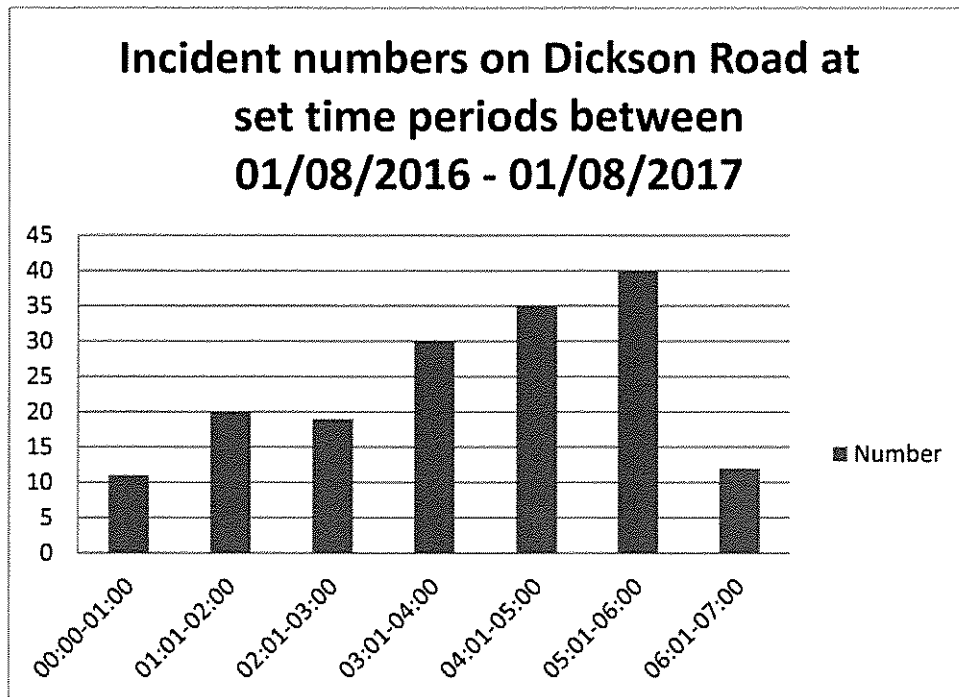
Appendix C

Incident/Crime figures for Dickson Road / Queen St

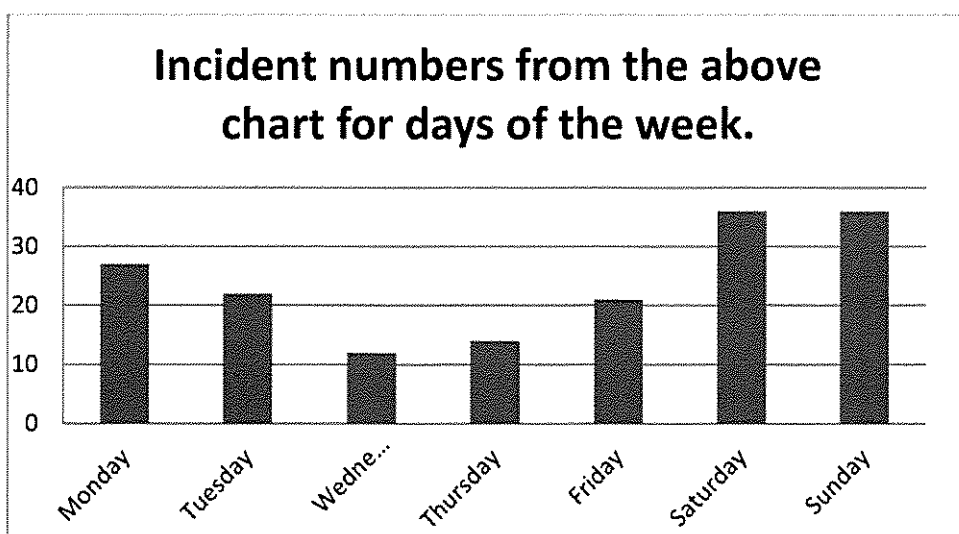
A summary of issues around Dickson Road by the take-aways in the early hours.

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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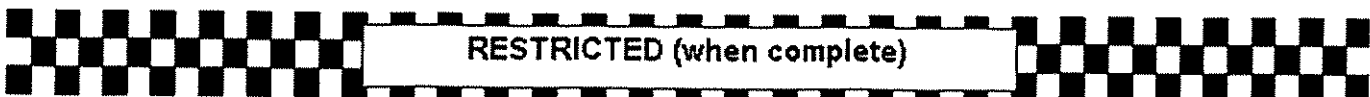


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to alcohol fuelled crime and disorder.

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.

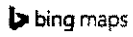
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Appendix E

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



Type your notes here.

