

Blackpool Council Licensing Service				
Representation made by a Responsible Authority to an application for the grant / variation of a Premises Licence / Club Premises Certificate				
Responsible Authority				
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	12	04	18	
Do you consider mediation to be appropriate			NO	
Premises Details				
Premises Name	La Casa			
Address	14 Dickson Road			
	Blackpool			
	Lancashire			
Post Code	FY1 2AE			
Reasons for making representations				
<p>I am in receipt of an application for a Major Variation to the Premises Licence for the above address.</p> <p>The variation includes increasing the hours for Late Night Refreshments until 05:00.</p> <p>On behalf of the Chief Officer of Police, having reviewed the application the Police make formal objections on the following grounds:</p> <p>The police base this objection on the following points:</p> <ol style="list-style-type: none"> 1) The premise falls within the current Town Centre Saturation area as part of the Council's Cumulative Impact Policy. 2) The number of current issues around crime and disorder the area is experiencing. 3) A significant Licence breach at the premises themselves. <p>When the current Saturation area was reviewed in 2013 a large part was removed leaving only those areas which currently require significant resourcing from police and other responsible authorities and the area where La Casa is located remains within this area. The issues in this area of the Town Centre are mainly caused due to the behaviour of customers of all the premises together and not just one individual venue due to high concentration of late night licences already in place, both on-licences and take-aways. The Cumulative Impact Policy applies to applications to vary existing licences, as well</p>				

as new licences, where modifications are directly relevant to this issue. Police believe that in this case, an extension to current trading hours will have a detrimental impact.

It is not only the number of on-licences that impact on the amount of crime and disorder and Public nuisance that is received but also the number of take-aways with late night licences in a vicinity. Take-aways increase the number of people that gather in the area into the early hours, once they have left the drinking establishment. It provides a haven for people to hang around and once outside licensed venues where they are no longer supervised as closely disorder breaks out.

This has recently been recognised by Blackpool Council as in their current statement of Licensing policy (2015-2019) point 4.7.3 states:

Due to concerns about crime & disorder and anti-social behaviour arising from the number of takeaways in the area, the town centre saturation area is to be extended to include applications for late night refreshment.

This area around Dickson Road and Queen Street is the most problematic area for Police in relation to alcohol related Crime and disorder in the whole of the Town Centre. This is due to a number of reasons: this area has the two latest on-licensed venues and a number of take-aways that remain open into the early daytime hours. The combination of drunk people and hot food attract a large number of revellers. There is also a bus stop directly outside La Casa where many will seek shelter whilst they eat their food. Also into the early hours there are less Emergency Services' resources.

Between 1st August 2017 and 31st March 2018 police have identified 273 recorded incidents within the close vicinity to La Casa on Dickson Road, as shown in the map below (FIG. 1) between the hours of 02:00 – 07:00. As a point of reference Flamingo Nightclub is indicated with a pink dot.



FIG.1

These incidents range from public order, nuisance, concerns for safety, assault and suspicious circumstances. 38% of these 273 incidents have been recorded between 2-4am, 23% between 4-5am and 39% between 5-7am. As can be seen from the map this is an extremely small concentrated area to have this number of incidents.

Examples of incidents within the highlighted area around Dickson Road are as follows:

LC-20171001-0356 1st Oct 2017 at 04:55 Dickson Road
Ambulance has had a call from a female who saw a male lying on the floor outside Wilko's. They have been told that he had been kicked in the head but had also taken Spice.

LC-20171001-0414 1st Oct 2017 at 06:32 Dickson Road
Fight outside Wilkos, 12 people involved, all male. No injuries but getting out of control. Crime No WA1718091 refers

LC-20171027-0186 27th Oct 2017 at 05:59 Dickson Road
Ambulance attending a report of a 25 year old male having been punched to the head. Offender has left the area, Crime No WA1719732 refers

LC-20171029-0426 29th Oct 2017 at 06:44 Dickson Road
2 males fighting, group of 8 surrounding the, some girls trying to stop it. Crime No WA1719825 refers

LC-20171106-0125 6th Nov 2017 at 03:15 Dickson Road
There is a group of males and females with crow bars; they are walking up Dickson Road. They had pieces of wood as well.

LC-20171216-0322 16th Dec 2017 at 04:52 Flamingos, Queen St
There are a number of people fighting. They are at the back entrance of Flamingos. They have come spilling out of the Club and are fighting.

LC-20180123-0144 23rd Jan 2018 at 05:04 Kaos, Queen St
Officer reports having pava'd someone outside Kaos. Male and female arrested. The female is banging her head against the cage requiring officer assistance in custody.

LC-20180214-04:14 14th Feb 2018 at 04:14 Flamingos, Queen St
A large male is kicking off; he has been kicked out of the Club. Informant advised Police need to hurry up because this male is going 'absolutely nuts'. Caller could hear male shouting in the background.

LC-20180312-0091 12th March 2018 at 03:05 Dickson Rd
Caller is a taxi driver and states that there is a male they are refusing to take as he is being abusive. As a result he has threatened to smash his windows. The male is now on Queen St opposite Kaos. He has threatened 6 taxi drivers.

LC-20180319-0112 19th March 2018 at 06:30 Dickson Rd
Inft reporting her son has been assaulted in a takeaway. He was trying to pay for his pizza, his card was declined. Then a female squared up to him, so he held his receipt to her face, and then he got punched on the side of the head by her friend.

LC-20180407-0299 7th April 2018 at 06:18 Dickson Rd
There is a fight ongoing about 20 people involved. Females and males, outside Boozebusters, Inft can't see any weapon. They are in the road fighting.

LC-20180410-0159,0160,0161 10th April 2018 at 06:07 Dickson Rd
Fight – at least 50 people – the instigator 6ft is now unconscious. Guy who hit him is wearing a camouflage jacket. A male has been overheard saying he was going home to a get a knife. He is bleeding from his head and eyes.

Police and Council have been working hard in this area for around 5 years now and in that time an on-licence venue and several take-aways have been reviewed to try to help tackle the problem, however the issues continue.

In June and July 2017 Licensing were receiving regular reports regarding issues around the area of the top end of Queen Street and Dickson Road. As a consequence joint visits took place in the early hours to ascertain the extent of the problem. Following these visits, on 28th September two take-aways directly across the road from La Casa were taken to review due to issues with compliance with licensing conditions alongside the amount of crime and disorder in the area. Both premises had their late night refreshment licences reduced to 3am. Both premises appealed the decision but then withdrew in March this year when the appeal was due to be heard at Magistrates Court.

In December 2017 Police ran a further evidence gathering Operation in the area to ascertain whether it was certain premises in particular causing the issues or the cumulative effect of all of them together. The Operation came at a cost to Police, as resources are lower between 3-7am it had to be run on overtime. The Operation did result in some breaches being highlighted, however, through spending time in the area during these peak times, it was evident that the main issue stems from the 'perfect storm' these premises jointly create: two very late night venues and four take-aways resulting in many drunken people, hovering around an area, getting food and mixing together. One more would just enhance the problem further.

It is accepted that the lack of police resources at the later time will contribute to the issues with Crime and disorder but at the same time it must be noted that it is a premise's choice to open at the more high-risk times and it isn't the Police's responsibility to 'Police their Licence', Police shouldn't be expected to put provide more resources because a venue wishes to open later.

As previously mentioned, two premises with late-night refreshment licences were recently reviewed due to licence breaches as well as the issues in the area. This area demands Licence holders of the highest quality, with the upkeep of the licensing objectives foremost in their working ethic, to manage such a problem area.

On Tuesday 10th April 2018 at 13:00 I attended La Casa in company with Mark Marshall, Licensing Manager for Blackpool Council, to speak to owner and DPS Mr Magdy Aly Farag. Whilst at the premises Mr Marshall asked Mr Aly Farag to operate the CCTV system and playback from the previous Saturday night at approx. 03:15hours (8th April). La Casa currently only has a late night refreshment licence until 03:00hours on a Friday and Saturday night.

Premises Open Hours Requested

	Time From	Time To
Sunday – Thursday	17:30	01:00
Friday – Saturday	17:30	03:00

Activities - Times Requested

	Time From	Time To
F. Playing of recorded music (Indoors)		
Sunday - Thursday	17:30	01:00
Friday - Saturday	17:30	03:00

I. Late night refreshment (Indoors)

Sunday - Thursday	23:00	01:00
Friday - Saturday	23:00	03:00

J. Supply of alcohol for consumption ON the premises only

Sunday - Thursday	17:30	01:00
Friday - Saturday	17:30	03:00

On playing back the CCTV it could clearly be seen that Mr Aly Farag was serving customers well after the 03:00 terminal hour (shown in the photos below) and only started to close up the premises around 04:15hour. This in breach of his licensable hours.

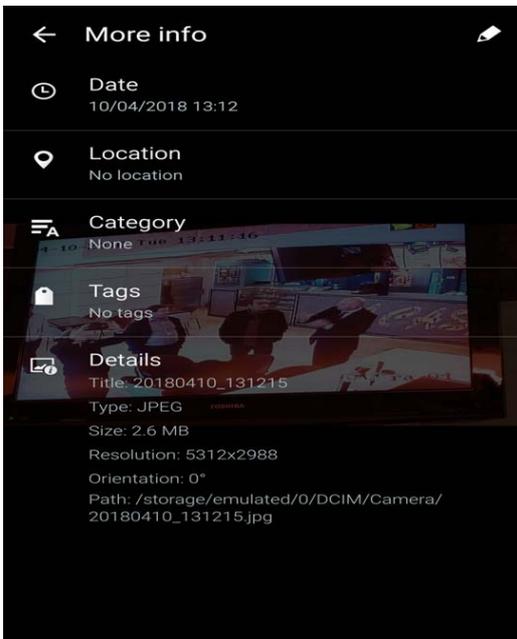


The first picture shows Mr Aly Farag cooking food with customers stood at the counter and also some sat at tables at 03:37 hours.

The second photo shows a group sat inside at 03:58 with food and another inside still waiting for food.

When asked about the footage Mr Aly Farag firstly stated that he has never breached any licensing conditions and claimed that he hadn't altered his clocks from two weeks previously when they changed to British Summer Time, so he states it is actually 02:58 in picture 2. It was pointed out to Mr Aly Farag that the clocks moved forward on 24th March, not backwards, so if the clocks on the CCTV hadn't been changed the time would actually be 04:58.

To confirm the accuracy on the clock timings I took a picture in real time whilst at the premises and matched it to the clock on my Samsung device. The pictures below confirms the timings on Mr Aly Farag's CCTV are accurate:



The picture was recorded as being taken at 13:12hours on 10/04/18 on my Samsung device and the time on the CCTV system shows 13:11hours on 10/04/18.

Mr Aly Farag then stated he was on his own and didn't realise the time as the clock doesn't work that is on the wall and he doesn't wear a watch. Mr Marshall then pointed out the clock on his till display but Mr Aly Farag stated he wasn't good with the till system, although this wouldn't stop him from seeing the time.

Mr Aly Farag stated he saw that the area was busy and at the last minute decided to open. Due to the short notice he wasn't able to get any other staff in so he was on his own. This indicates that Mr Aly Farag's only concern on the night in question was to make money; the area was busy so he wanted to open up with no regard to conditions he needs to adhere to. He was there to simply make some money. He claimed to be struggling to pay some outstanding bills.

Due to this, Police has serious concerns that Mr Aly Farag's pure motive for this variation is to make money but there is a willingness to do it at whatever the cost. As I have already demonstrated, this

area is very high risk when it comes to crime and disorder and needs operators to be of the highest standard, with the upkeep of the licensing objectives foremost in their operation, Mr Aly Farag has clearly demonstrated here that profit is his main and only concern.

In his application, Mr Aly Farag has offered conditions to help safeguard the licensing conditions. Firstly, the above evidence shows that he cannot be trusted to upkeep licensing conditions. Secondly, he has offered to close at 05:15. This time falls outside licensable hours and therefore there are no controlling sanctions that can be placed on the premises. Should Mr Aly Farag change his mind and open then he is free to do so. As I have already evidenced 5am – 7am is still a very busy time in this immediate area so why would a business (who has already admitted to struggling financially) close at the busiest time when they don't have to?

Two premises were reviewed in September last year for showing little regard to their licensing conditions and the licensing objectives and the committee saw fit to reduce their hours to 3am.

Lancashire Constabulary has significant concerns that crime and disorder will increase if this premises is allowed to increase the licensable hours. This will add to the cumulative impact already being experienced within the Town Centre Saturation Area and would lead to further alcohol fuelled crime and disorder and contribute to the stress and further burden on the emergency services.

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

N/A