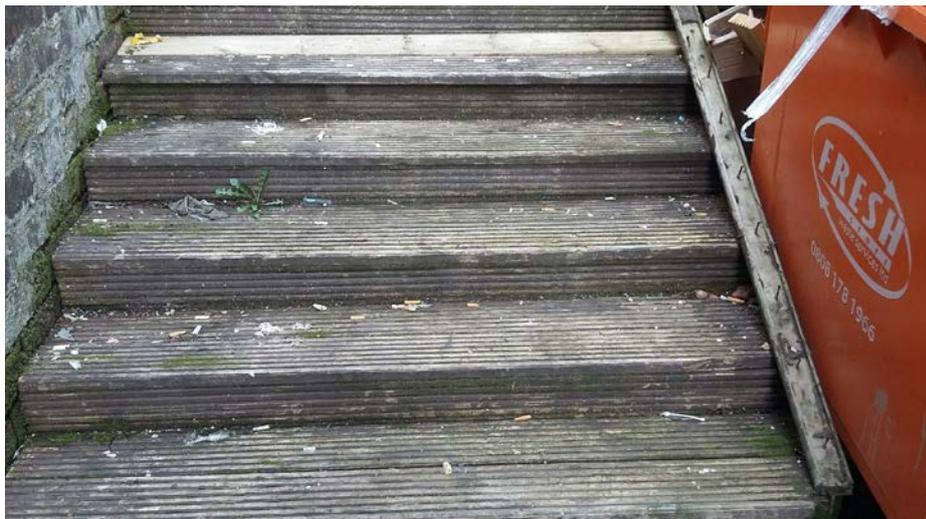
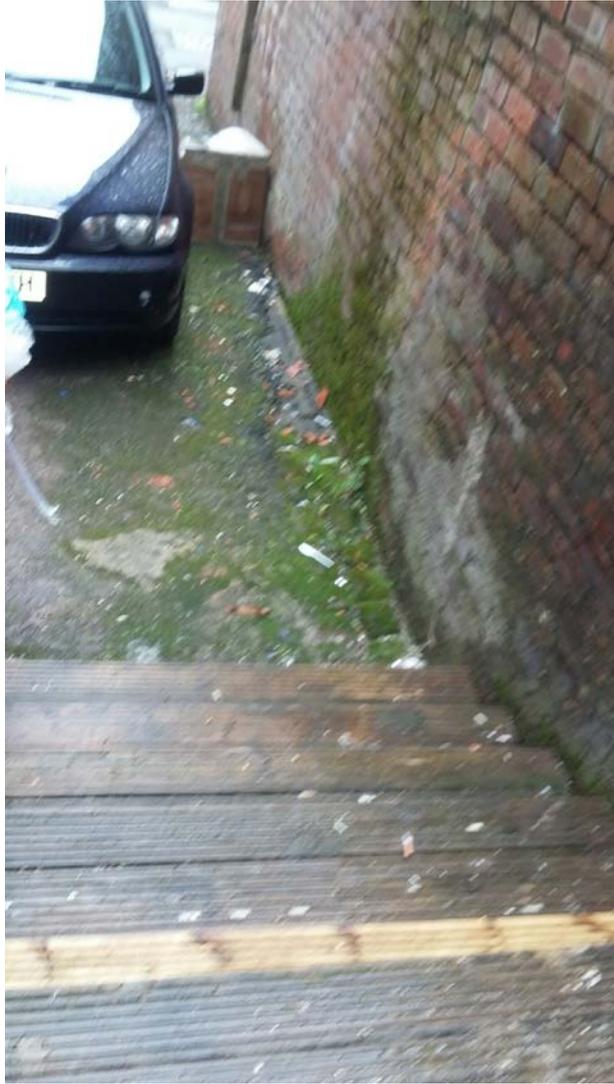


<b>Blackpool Council Licensing Service</b>				
<b>Representation made by a Responsible Authority</b>				
<b>Responsible Authority</b>				
Name of Responsible Authority	<b>Licensing Authority</b>			
Name of Officer <i>(please print)</i>	Mark Marshall			
Signature of Officer				
Contact telephone number	<b>01253-478493</b>			
Date representation made	<b>12</b>	<b>04</b>	<b>2018</b>	
Do you consider mediation to be appropriate				NO
<b>Premises Details</b>				
Premises Name	<b>La Cassa</b>			
Address	Dickson Road			
	Blackpool			
Post Code	FY1 2AE			
<b>Details of your representation (Please refer and attach any supporting documentation)</b>				
<p>The premises in question have rarely been open during the winter months and I was approached prior to the application being submitted to seek my views on an extension to the hours. The premises currently have a terminal hour of 3am.</p> <p>My advice was that we had struggled for many years with the takeaways on Dickson Road, the major problem being the protracted dispersal from the area when the Clubs close and the very late hour that takeaways continue to operate which can have an impact with the early morning day time economy.</p> <p>The Licensing Authority on previous decisions have chosen to revoke licences as well as reduce the hours of certain premises but it is only in very recent weeks that 2 recent decisions have been ratified by the Magistrates so as such it is too early to say if the reduction in hours has addressed the root cause of the problem.</p> <p>The applicant was given the explanation above and also advised that his proposals may give rise to objections but he was not deterred from making an application and was given some advice on measures that he could introduce to lessen the impact on the Licensing Objectives. He was amenable during this conversation to adopt whatever condition or restriction was necessary.</p>				

On the Monday 9<sup>th</sup> April 2018 I was in the alley way to the rear of the property and noticed a build-up of combustible waste to the rear of the property and unsafe rotten stairs leading from the fire escape.





The same day I also received information that the premises were open beyond its hours and traded till 5am. I arranged to meet the applicant the following day at 1pm. I attended the premises with Danny Stephenson and Sgt Helen Parkinson. I checked the rear area and confirmed the door leading to the

back was a fire escape that would be utilised by staff, as such I expressed concern regarding the safety of the decking and steps, numerous boards were rotten and very unstable, they felt they would fail at any time especially with 2 or 3 people walking over them in succession. The surface area of the decking was very slippery and hazardous. The applicant was agreeable to addressing the problems with the decking and clearing the waste so that a clear exit route could be maintained.

We then checked on the CCTV system which was very good in terms of its coverage and clarity, the applicant was also conversant with its use, I asked for him to pull images from the 8<sup>th</sup> April at 03.15 hrs.

Numerous files were available in a time order; they appeared to be in 45minute chunks and related to the respective cameras in chronological order. We asked him to pull up one of the files which showed images from within the takeaway, the time of the image was 03.46hrs and showed a group of males eating food on the tables, demonstrating that the takeaway was still open. The applicant's response to these images was to suggest that the time on the system was incorrect as he had not changed it following the change to British Summer Time.

This excuse caused some confusion as if the system was only an hour out then the actual time of the recording would have been 04.46hrs (as the clocks went forward at the end of March) the applicant did not understand this point at first and maintained his position of suggesting the time on the system was wrong and he always complies with his opening hours.

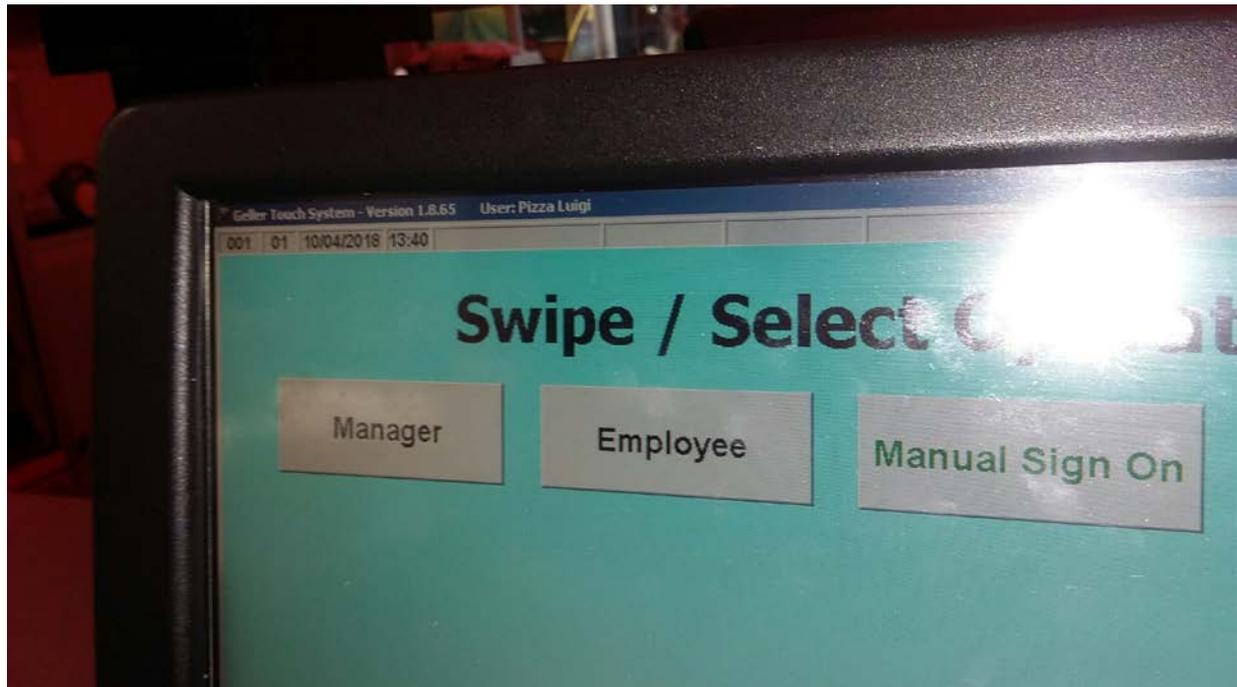
We then moved the system back to live recordings and the time display was correct as per our respective watch's, again the applicant maintained the system recordings were wrong and he complies with his Licensable hours.

I then pulled up a different camera from the 8<sup>th</sup> April, this camera showed images of the kitchen and people ordering food at the counter, I set the recording running from 03.00hrs and put it on x4 (forward).

As the recording moved on it was clear that customers were coming into the takeaway and numerous food orders were being prepared.

The applicant was the only person in the kitchen on this night and he changed his position slightly by saying as he was on his own and busy he didn't realise the time. We let the images roll on till 04.15 hrs and the recordings without question demonstrated that a significant amount of customers had been served hot food after the terminal hour of 03.00hrs.

After the recordings had finished, the applicant finally admitted that he was busy on the night but still maintained he didn't realise the time, at this point I took him to the till behind the counter, which was an electronic till system, I asked if he could pull back the orders he rang through on the Sat/Sun morning, he claimed not to be able to use the till system but it was very apparent the time of day was displayed in the top left corner of the display screen, I noted the time was 8 minutes faster than my watch but pointed out that he would realise what the time was every time an order was cashed in.



As we concluded the discussion I explained there was clear evidence that he had breached the conditions/ terminal hour of the licence and that he could be prosecuted for the offence. Both Sgt Parkinson and I explained that our concerns would be reported to the Committee who would have the ultimate decision as to whether the variation was granted.

In view of the findings on the day and the fact that takeaways now make part of the saturation policy which suggest a closing time of 2am for LNRL I would say the application should be rejected.

The committee would need to have a great amount of faith in an operator applying for later hours in an area that suffers from so many Crime related problems and the limited amount of dealings I have had with this applicant have sadly shown that there are far more concerns than positive experiences and therefore he is not a man who can be relied on to honour the proposals put forward in his application.

Blackpool Statement of Licensing policy recognises the issue from later hours and recommends terminal hours for categories of premises;

4.4.2 The Authority proposes to introduce a framework of core hours for licensable activities at premises:

Premises Type	Commencement hour for sale of alcohol	Terminal hour
Off-licence	10.00 am	23.00 pm
Restaurant	10.00 am	01.00 am
Other on-licenced premises	10.00 am	02.00 am
Takeaway	n/a	02.00 am

4.4.3 This framework will apply to applications for new premises licences and to applications for variations to extend the hours for licensable activities (earlier and later in the case of the sale of alcohol). Applicants are advised not to exceed these core hours when submitting a licence application in order to avoid representations .

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