

# Blackpool Council

12 May 2015

To: Councillors Brown, G Coleman and Hutton

The above members are requested to attend the:

## LICENSING PANEL

Thursday, 21 May 2015 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 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- AL GOUCHA** (Pages 1 - 54)

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

**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](mailto: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](http://www.blackpool.gov.uk).

<b>Report to:</b>	<b>Licensing Panel</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Services
<b>Date of Meeting :</b>	23 <sup>rd</sup> April 2015

## APPLICATION TO REVIEW A LICENCE – Al Goucha

### 1.0 Purpose of the report:

1.1 To consider an application by the Licensing Authority to review the licence issued in respect of Al Goucha, 1A 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 request for a review is submitted and accepted it must be considered by a Licensing Panel.

### 4.0 Background Information

4.1 Al Goucha, 1A Dickson Road Blackpool has the benefit of a premises licence authorising the provision of late night refreshment 23.00 – 05.00 hours daily. On 12<sup>th</sup> March 2015 the Licensing Service received an application from the Licensing Authority to review this licence on the grounds of crime and disorder, public safety and public nuisance. A copy of the application is attached.

4.2 Representations in support of the application have been received from the Police and Health and Safety. Copies of the representations are attached.

4.3 The licence holder is Amir Abdun. He has held the licence since July 2014.

4.4 **Local policy considerations**

None

4.5 **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. Remove the DPS
5. Suspend the licence for up to three months
6. Revoke the licence.

**Observations**

This licence was granted in September 2010 and has the following conditions endorsed:

**Annex 2 - Conditions consistent with the Operating Schedule**

- 1 No entertainment of an adult nature will take place on the premises.
- 2 The fire alarm installed will be maintained on a six monthly contract.

- 3 No persons under the age of 16 will be allowed on the premises after 23.00.
- 4 CCTV will be installed internally and externally at the premises and will comply with the following:
  - The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system.
  - The system will display on any recording the correct time and date of the recording;
  - The system will make recordings during all hours the premises are open to the public;
  - VCR tapes or digital recording shall be held for a minimum of 31 days after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request;
  - The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.
- 5 The premises shall have installed a wall mounted plasma screen, no smaller than 42", mounted in a position within the premises so that patrons can view live recorded CCTV footage.
- 6 A staff member who is conversant with the operation of the CCTV system will be on the premises at all times when the takeaway is open to the public. This person will be able to show police recent data or footage with the minimum of delay when requested. This data or footage reproduction should be almost instantaneous.
- 7 At any time the premises are open to the public after 3am, the premises licence holder shall employ at least one SIA registered door supervisor. The supervisor shall wear reflective identification as approved by Lancashire Constabulary.
- 8 Any individual employed on the premises to carry out a security activity must be licensed by the SIA.
- 9 A clear, legible and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at every exit.

- 10 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.
- 11 The premises licence holder shall provide suitable containers for the storage of waste, which are constructed and maintained to prevent the removal of such waste by vandals, thieves, animals, accidental spillage or inclement weather. Such waste to be removed on a daily basis.

4.5 Does the information submitted include any exempt information? No

4.6 **List of Appendices:**

Appendix 4a: Application for a Review of a Premises Licence  
Appendix 4b: Representations from Lancashire Constabulary  
Appendix 4c: Representations from Health and Safety

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

# Blackpool Council

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

### LICENSING ACT 2003

***Review  
requested by:***

Licensing Authority

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](http://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.

<b>I</b>	Mark Marshall
----------	---------------

[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***

<b>Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.</b>									
<b>Premises Name and Address</b>	Amir's formally Al Goucha								
	1A Dickson Road								
	Blackpool	<b>Post Code</b>	F	Y	1	2	A	X	
<b>State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)</b>									
<b>Premises Licence or Club Premises Certificate Reference Number (if known)</b>								WA0208	

### ***Part 2 – Applicant details***

**I am:**

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



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

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

**(2B) Other Applicant or Representing Body**

<b>Name</b>														
<b>Address</b>														
						<b>Post Code</b>								
<b>Telephone No.</b>														
<b>Email Address</b>														

**(2C) Responsible Authority applicant**

<b>Name</b>	<b>Mark Marshall</b>													
<b>Address</b>	Bickerstaffe House													
	Number One Bickerstaffe Square													
	<b>Blackpool</b>					<b>Post Code</b>	<b>F</b>	<b>Y</b>	<b>1</b>			<b>3</b>	<b>A</b>	<b>H</b>
<b>Telephone Number</b>	<b>01253 478349</b>													
<b>Email Address</b>	<b>Mark.marshall@blackpool.gov.uk</b>													

## 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	√
2) public safety	√
3) the prevention of public nuisance	√
4) the protection of children from harm	

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

Amir's was formally known as Al Goucha and is located on Dickson Road directly on the Junction of Queen Street and Dickson Road. The management of this premise has been causing considerable concern for the local authority for some time.

Serving intoxicated members of the public socialising from nearby late night Licensed Premises on a frequent basis more apparent during the early morning hours of a Friday and Saturday.

A business servicing the night time economy requires quite careful management and Amir's style of approach is one which is neither careful nor managed and operates with complete disregard for public safety and Environmental impact of the locality.

A program of intervention visits incorporating advice and education on general areas of cleanliness in the interior where litter bins found to be overflowing, floor greasy in all areas and clearways blocked with waste bags. The immediate exterior being heavily littered with food debris and containers discarded by customers from within the store. Intervention visits have been undertaken but unfortunately all to no avail and in some areas the problems are in fact getting worse. This is exasperated by the ownership of the business regularly changing hands. Officers conducting visits are faced with new owners/managers who have no knowledge of existing ongoing problem.

Various visits have since taken place giving the owners opportunity to rectify problems observed and raised.

On the 29<sup>th</sup> June 2014 following up from a request via Street Cleansing raising concerns around the amount of black sacks containing commercial waste that are continually being deposited on the front street by the public street litter bin.

A visit was arranged with multiple departments inclusive of Licensing, Health and Safety, Food Hygiene and Commercial Waste.

As a result of this visit several issue were identified one being that the owner a Mr Amir Abdun was not fulfilling his legal requirements by having a registered waste carrier in place thus resulting in no Authoritative Documents to state that he is legally allowed to deposit controlled commercial waste in black bags by the public street litter bin on Dickson Road.

At this point Mr Abdun was issued with a fixed penalty notice (DOCUMENT 1) for failure to produce Authority this notice applies to Section 34 of the EPA 1990 (DUTY OF CARE).

2/10/14 This was undertaken as a following up visit to identify if issues raised in the previous visit had now been complied with. On this occasion Mr Abdun had the relevant documentation in place for Waste Management however the correct practice was still not being implemented.

The interior bins were overflowing with cartons and food debris and clearly not being emptied frequently enough resulting in the floor area become littered and greasy.

On the immediate exterior it was evident that Mr Abdun was also not fulfilling one of his License requirements as the area was also littered with various debris, on this Mr Abdun was given a verbal warning to implement better working practices around his License conditions and his Waste Management one of these being to make a regular litter patrol and to clear and spilled or discarded refuse to the outside area around his Business.

On this visit it was also observed that a large number people from the dispersal of Kaos were congregating to the front and side of his property.

Mr Abdun was then advised that we would be revisiting in a couple of weeks to ensure in his compliance.

22/10/2014, Site visits further advice and education given verbally to **Mr Amir Abdun** regarding performing regular litter patrols as per licensing conditions.

28/10/2014, Site observations (**no officer visit to premises**) for instances of anti-social behaviour/waste issues, 3 separate instances of violent disorder.

Regular litter patrols as per licensing conditions still not implemented outside area littered with debris.

5/12/2014, Further advice and education given verbally to the owner a **Mr Abdun** at the time to implement check sheets for completed litter patrols.

1/2/2015, Site observations (**no officer visit to premises**) 4 separate instances of violent disorder was observed by Council Officers with small groups of people arriving from various venues within the town creating a larger group all hanging around outside the premise arguments then ensued between the various groups requiring the intervention of both the police and door staff from various premises thus diluting supervision at designated posts, individuals were observed urinating in the street, further instances of mismanagement of waste in the form of illegal depositing of controlled commercial waste cardboard packaging not in the correct receptacle (not even in a receptacle just deposited loose) contrary to section 47 EPA 1990.

5/2/2015, (Document 2) CPN notice issued.



**Photograph 1** of Mr Abdun carrying loose cardboard packaging across to street litter bin not in correct receptacle contrary to section 47 EPA 1990 (misuse of waste receptacles).



**Photograph 2** of Mr Abdun again not using correct waste management attempting to cut costs by depositing black bags along with commercial waste receptacle.



**Photograph 3** Showing litter and food debris directly to exterior of Amir's store.



**Photograph 4** overflowing bins to the interior of Amir's store.



**Photograph 5** second bins overflowing in Amir's store.





**Photograph 6** Showing police on scene following disturbance of people on the street directly outside Amir's.  
Scene observed as people arguing in doorway entrance by Council Officers.



**Photograph 7** Showing further disturbances from gatherings of people in the street.

**Conclusion.**

Section 182 of the Licensing Act 2003 Guidance paragraph 11.10 states;

Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holder's early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

Amir's takeaway and the style of management and supervision practices that are currently in place are of such inadequacy that it is clearly evident of the detrimental and environmental affect it is having to nearby Businesses and residents in the locality.

Issues and observations raised in previous visits are continually repeated so if not brought into line will only serve to escalate as the season and summer months come into play.

The intervention and resource from all Public Authorities has been significant. The police intervention is often low level and not recorded on systems, as stepping into an argument or splitting up an arguing couple is seen as routine. What does need to be considered is, the Public Authorities

resource could be utilised in other areas if the premises were more in tune with properly promoting the Licensing Objectives.

For this reason with the scale of intervention, the period of observations and the formal action taken to date we say that any responsible operator would have got there house in order and engaged with Authorities pro-actively to address concerns.

This has not happened, hence the reason for this application...

We say that trading at this establishment is irresponsible, the management structure is opaque and responsive only when formal action is engaged and if unsupervised a serious incident is inevitable. For this reason the curtailing of hours should be a minimum step with a requirement to have more door staff (at least 2) engaged at a much earlier time ( 01.00hrs ), however the committee may consider that the weight of evidenced adduced that the only secure way f safeguarding the licence objectives is to consider Revocation.

**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**

<b>Have you made an application for review relating to these premises before?</b>	Please tick		
	Yes	No	
<b>If yes please state the date of that application</b>	Day	Month	Year

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

Please tick

<b>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.</b>	<input type="checkbox"/>
<b>I understand that if I do not comply with the above requirements my application will be rejected</b>	<input type="checkbox"/>

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.**

<b>Signed</b>	
<b>Print Name</b>	
<b>Capacity</b>	
<b>Date</b>	

**Contact name and address for correspondence associated with this application. (Where not previously given)** (See guidance note 6)

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

**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.

Summary: FPN Ref: 0056 - Offence: G Failure to produce...

Reference: 1598908 Status: Payment Pending (Discount Rate)  
 Date Created: 30/Jun/2014 08:23 Created By: Danny Stephenson  
 Date Closed: Allocated To: Danny Stephenson

Details

Offenders Name: Amir Abdun  
 Offenders Address: Dream Girls  
 1A Dickson Road  
 Blackpool  
 FY1 2AX  
 Name of parent or guardian (if a child):  
 Issuing Officer: Danny Stephenson  
 Assisting Officer:  
 Date and Time Offence Occurred: 29/Jun/2014 05:30  
 Location of Offence: Dream Girls  
 1A Dickson Road  
 Blackpool  
 FY1 2AX  
 Location of Offence Notes: Pocket Note Book Entry  
 Offence type: G Failure to produce authority (Waste Transfer Notes)  
 Details of the offence: customer had no documentation in place and has been presenting waste by street litter bin.  
 Fixed Penalty Charge: 180  
 FPN Reference: 0056  
 RIA Number:  
 Neighbourhood: PROMENADE & TOWN CENTRE NEIGHBOURHOOD  
 Fine increases on:: 13/Jul/2014  
 Full Fine Cost: 300  
 Paris Reference:  
 FPN Paid: No  
 View FPN via RIA Letter:  
 Create Waive letter:  
 Type of Appeal:  
 Resolution:

Notes:  
 30 Jun 08:27 System Payment Pending (Discount Rate)  
 30 Jun 08:27 Danny Stephenson Details Entered  
 30 Jun 08:27 Danny Stephenson Accepted  
 30 Jun 08:23 Danny Stephenson Created

Date Printed: 01/Jul/2014 09:06



**Notice of Opportunity to Pay Fixed Penalty Notice**

Alleged Offender: AMIR ABDUL  
Address: 1A BICKSON ROAD  
BLACKPOOL Post Code FY1 2AX  
Issued By: D. STEPHENSON Cost Code: 248601 7501  
On (Date): 29<sup>TH</sup> JUNE 2014  
Offence Location: FRONT OF PROPERTY  
Post Code FY1 2AX  
Details of Offence [Overleaf (A to N)] 9. FAILURE TO  
FURNISH DOCUMENTATION (WASTE TRANSFER  
NOTE)

An authorised officer of **BLACKPOOL COUNCIL** has reason to believe that you have committed an offence as detailed above

This notice offers you the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty.

No Court proceedings will be taken for this offence before the expiration of the **FOURTEEN DAYS** following the date of this notice. You will not be liable to conviction for the offence if you pay the fixed penalty during that period of fourteen days.

The fixed penalty amounts for offences are shown overleaf, including discounted amounts for payment with 10 days as appropriate.

Payment may be made by debit or credit card by contacting the Customer First Centre on (01253) 477477, quoting the notice reference number.

Alternatively payment may be made by cheque/cash/postal or money order payable to Blackpool Council either in person or by post to the following addresses. In either case this notice should accompany the payment.

**Blackpool Council, Customer First Centre, Municipal Buildings, Corporation Street, Blackpool, FY1 1NF**

Cash should be sent by registered post – payment made in this way will be regarded as having been made at the time at which the letter would be delivered in the ordinary course of post.

WARNING NOTICE

Anti-Social Behaviour Crime and Policing Act 2014, sections 43 to 58.

To: Mr Amir Abdun  
Address:   
Premises: Al Goucha 1a Dickson Road, Blackpool FY1 2AX

**WARNING**

Being satisfied that your conduct is having a detrimental effect, of a persistent or continuing nature on the quality of life of those in the locality, and the conduct is unreasonable. Mark Marshall an authorised officer of Blackpool Council, hereby requires you to:

**Activity required to cease:**

- i. Nuisance and anti-social behaviour caused by patrons of your premises between the hours of 5:00 am and 6:30 am.

**Action required:**

- 1. To employ a Registered Door Supervisor at the premises between the hours of 5:00 am to 6:30 am on a Saturday and Sunday morning.

**Implementation of the action:**

Item 1 must be in place by no later than 7<sup>th</sup> February 2015.

This notice offers you the opportunity to avoid the issue of a Community Protection Notice.

- \* "Conduct" includes a failure to act -
- \* "Conduct" on, or affecting, premises that a person owns, leases, occupies, controls, operates, or maintains, is treated as conduct of that person.

**IMPORTANT NOTICE**

A Community Protection Notice - will be issued unless your conduct ceases to have the detrimental affect referred to above. Non-compliance with a Community Protection Notice carries criminal sanctions and can lead to a criminal record.

Failure to take all reasonable steps or failure without reasonable excuse to comply with a Community Protection Notice can lead to seizure and forfeiture of items, default works and recovery of costs and/or a fine of up to £2,500 in relation to an individual or up to £20,000 in the case of a body.

Non-compliance may also result in the issue of a fixed penalty notice in the sum of £100.

Authorised Officer: Mark Marshall

Name

Signature

Date

.....

**Chronology Re Dickson Road Takeaways. Mark Marshall on behalf of the Licensing Authority**

**Al Goucha**

In May 2012 the Licensing Authority received complaints from the hoteliers on Lord Street regarding Antisocial behaviour and disorder, they pointed towards the customers from Flamingos and the taxi ranking system as being the main contributor to the problems.

At this time Flamingo exited via the "Runway" on to Queen Street where customers would congregate then be drawn towards Lord Street due to the activity levels from taxis and pedestrians.

The photos below demonstrate the high volume of taxis in an area that was occupied by hotels attempting to provide facilities for customers, many of the hoteliers felt on the brink of failure due to their guests always complaining about all night disturbances.



In 2012 extensive work was put in to relocate the taxi rank facilities, Queen Street between Dickson Road and Lord Street was closed to taxis at 00.00hrs and the provision was relocated to Dickson Road, in order to minimise problems on Queen Street and to give customers line of sight to the taxi

rank. Flamingo agreed to change the exit point from the "Runway" to the Dickson Road door, commonly known as Buzz entrance (located on the bottom right picture just behind the green car).

The feedback from these changes has been very positive, certainly from residents on Lord Street and other businesses, taxis driver were put out at first but now the system is well established it works well.

These changes have created a much broader dispersal area but it means the three takeaways subject to the Reviews are now the point of contact from people leaving Flamingo.

At this time lots of early morning observations were made around the area and one of the early concerns were the infrequency of doorman being employed at the takeaways, despite having licence conditions to have door staff between 03.00 and 05.00 and also the gap in security between the hours of 05.00 and 06.30. Regulatory presence rectified the issue with door staff being employed at the takeaways and in 2014 more concentrated visits commenced on what we believed to be the 3 problem takeaways;

**Sunday 13<sup>th</sup> April 2014-** General observations in the area of Dickson Road and high profile visits to premises in the area, no reports submitted.

Licence Holder- Los Gringos- [REDACTED]

Licence Holder-Pizza Luigi- [REDACTED]

Licence Holder- Al Goucha- Atef Saad

**Sunday 8<sup>th</sup> June 2014-** At 04.50 hrs visits were conducted to Los Gringos and Pizza Luigi. I spoke with Hammed Mechnan who was running Los Gringos, he gave his address as 6 Rose Avenue, Blackpool. The male running pizza Luigi was Youcef Amri, Flat 6 3 Lord Street. These were general fact finding visits to discover who was managing the premises.

Licence Holder- Los Gringos- Mosstaffa Blamane

Licence Holder- Pizza Luigi- [REDACTED]

Licence Holder- Al Goucha – [REDACTED]

**Sunday 1<sup>st</sup> February 2015-** Early hours observations between the hours of 03.30 and 06.30hrs. I observed a number of low level incidents that occurred both in and outside Al Goucha and Los Gringos, doorman were engaged in physical contact required to push aggressive male in the chest, they were supported by 2 other door staff from nearby premises. A small group had to be ejected from Los Gringos but the arguments spilled on to the street and continued until police intervention.

During this evening there were between 4 and 6 incidents which I would describe as rowdy and antisocial on occasion low level violence broke out with pushing and shoving, squaring up threats and shouting. Door man definitely benefited from police assistance that was in the area between 04.30 and 05.45. Police intervened in at least 3 incidents during my observations. The outbreaks of disorder were difficult to tie back to a premises but all occurred either in or outside the three takeaways under review.

**4<sup>th</sup> February 2015**- CPN Notices were issued to the licence holders of all 3 takeaways to employ door staff between the hours of 05.00 and 06.30hrs to safe guard against the concerns noted in particular from the observations conducted on the first Feb 2015.

[REDACTED]

CPN warning- Re Al Goucha- served on Amir Abdun

[REDACTED]

**15<sup>th</sup> February 2015** –Early morning visits were conducted at the three takeaways to establish compliance with the CPN warnings.

[REDACTED]  
[REDACTED]  
[REDACTED]

Al Goucha was all in order, compliant with the CPN and was compliant with licence conditions.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Monday 30<sup>th</sup> March 2015** At the request of the takeaways a meeting was arranged where they were looking to try and compromise the Review by offering changes to practise and additional conditions.

Only the licence holder for Al Goucha was present, the remainder claimed they were either lease holders, the text below confirms attendees and undertakings given;

**From:** Danny Stephenson  
**Sent:** 01 April 2015 11:07  
**To:** 'tareq@live.co.uk'  
**Subject:** Dickson Road Takeaway's

Dear Tariq

You contacted the Council to request a meeting on the week commencing 23/3/15 with regards to your concerns around a review that has been submitted for some of the takeaway's on Dickson Road you suggested you had been approached by the Licence Holders of Los Gringos, Pizza Luigi and Amir's formerly Al Goucha to speak on their behalf as the Licence holders are unable to attend.

This was informally agreed by Mark Marshall that yourself and representatives of the other Takeaways could attend Bickerstaffe House on Monday the 30<sup>th</sup> of March 2015.

Following on from Mondays discussion the 30<sup>th</sup> March 2015 attended by Mark Marshall, Ben Reynolds (Police), Danny Stephenson, Tariq Albattikhi, Hamid Mechnan, Sarj Aloh and Amir Abdun with yourself acting as spokesperson on behalf of the other Takeaway representatives around the general management structure and current working practices at the late night Takeaways on Dickson Road, you offered some resolutions which you were prepared to formalise, (impose conditions on the Licence).

1, Staff on duty when visits occur demonstrate lack of knowledge or understanding of CCTV recording system as suggested by Sarj Aloh and agreed by other representatives all staff to be trained and competent in the full operation of CCTV recording and images to be produced within 1 hour of request

2, Tariq suggested extra Door staff on duty throughout the shift during busy periods (suggestion 2 staff per store 3-7 am or close of play on busy times at weekends and special events) Sarj Aloh expressed concern around this due to cost implications however all representatives agreed this was needed going forward.

3, Danny Stephenson suggested daily Schedule to be implemented for regular litter patrols of exterior areas as per annex 2 of current licensing conditions ( suggestion minimum 4 patrols on busy days,

2-3 patrols on quiet days) this was agreed by all present.

4, Danny Stephenson suggested all stores to fulfil legal obligation of having a registered Waste Carrier in place this was agreed by all present.

5, Danny Stephenson suggested to prevent confusion all stores to display current and valid Waste Transfer Notices (or at least be able to produce one) this was agreed by all present.

6, In the interest of managing customers safely it was discussed around the room Amir's formerly Al Goucha to start the practice of having only one entrance ( Amir agreed and will decide which entrance is best for the store) this was also agreed by Sarj Aloh.

7, Tariq suggested all stores to instigate compliance training (to be discussed and arranged for the near future and courses will be possibly be offered by Council).

8, Danny Stephenson suggested better and consistent Waste Management practices implemented with immediate effect ( for example correct receptacles used, no clutter in stores and not deposited on footways) this was agreed by all present.

Please note the areas discussed and agreed for implementation and reiterated by Mark Marshall and Ben Reynolds that this will not prevent the review from taking place or any final decision that is made and that these are practices that should already be in place.

Nb as discussed will you please ensure the other stores are able to view this email.

Tariq it would be a good idea for you to submit a written proposal of the changes you think would be necessary, this way we can lodge these with the Committee as 'Voluntary Proposals' this way they can consider the appropriateness' and impose them as conditions if they adequately promote and safeguard the Licencing objectives.

Regards

**Danny Stephenson**

**Commercial Waste Enforcement**

**Public Protection Division**

**Community and Environmental Services**

**Bickerstaffe House, Number One Bickerstaffe Square, FY1 3AH**

**TEL: 01253 478497**

**M: 07827255164 E: [danny.stephenson@blackpool.gov.uk](mailto:danny.stephenson@blackpool.gov.uk)**

**Sunday 12<sup>th</sup> April 2015** Follow up visits were done at the three premises between 03.45 and 05.00hrs, the purpose of the visit was to establish whether the changes suggested at the meeting on the 30<sup>th</sup> March 2015 had been implemented.

Al Goucha- Door staff did not attend till approximately 3.20 hrs, Licence Condition requires Door staff to be on duty , at the time of the visit I spoke with Steven Drewery who runs D& F Security who confirmed that 2 member's of staff would be on duty till 06.30 at the premises and had been for the last couple of weeks. The CCTV and waste transfer note was in order and overall the Licence holder of this premises has made significant efforts to comply with all requirements.

[REDACTED]



[Redacted]

[Redacted]

Document created on the 17<sup>th</sup> April 2015

Chronology Re Dickson Road Takeaways.

**Amir's formerly Al-Goucha**

[REDACTED] and Amir's formerly Al-Goucha are located on Dickson Road directly adjacent to the exit door of Flamingos and next door to Funny Girls. The management of these premises have been causing considerable concern for the local authority for some time.

Serving intoxicated members of the public socialising from nearby late night Licensed Premises on a frequent basis more apparent during the early morning hours of a Friday and Saturday.

A program of intervention visits incorporating advice and education on general areas of cleanliness in the interior where litter bins found to be overflowing, floor greasy in all areas, clearways blocked with waste bags. Intervention visits have been undertaken but unfortunately all to no avail and in some areas the problems are in fact getting worse. This is exasperated by the ownership of the business regularly changing hands. Officers conducting visits are faced with new owners/managers who have no knowledge of existing ongoing problem.

Various visits have since taken place giving the owners opportunity to rectify problems observed and raised.

On the **29<sup>th</sup> June 2014** following up from a request from a resident in the nearby vicinity via Street Cleansing raising concerns around the amount of black sacks containing commercial waste that are continually being deposited on the front street by the public street litter bin.

A visit was arranged to all three stores with multiple departments inclusive of Licensing, Health and Safety, Food Hygiene and Commercial Waste.

[REDACTED]

[REDACTED]

**29<sup>th</sup> June 2014** a Mr Amir Abdun the owner of Al-Goucha did not have the correct waste management in place and was unable to produce any documentation to state he is legally and responsibly disposing of his waste, a fixed penalty was issued contrary to section 34 EPA 1990 (Duty of Care) failure to produce authority (Waste Transfer Note).

[REDACTED]

On the immediate exterior it was evident that all three stores are not fulfilling one of the Licence requirements checking immediate area for waste, as the area was littered with various food debris emanating from all three of the stores, on this all three stores were given a verbal warning to implement better working practices around his License conditions and Waste Management one of these being to make a regular litter patrol and to clear and spilled

or discarded refuse to the outside area around each Business and the activity of continually depositing black bags by the street litter bin was to cease.  
All three stores were then advised that we would be revisiting in a couple of weeks to ensure in compliance was being met.

**22/10/2014**, Site visits further advice and education given verbally to all three stores regarding performing regular litter patrols as per licensing conditions.

**28/10/2014**, further visit and Site observations (no officer visit to premise) for instances of anti-social behaviour/waste issues, 3 separate instances of violent disorder.  
Regular litter patrols as per licensing conditions still not implemented outside area littered with debris.

5

**1/2/2015**, Site observations (no officer visit to premise) 4 separate instances of violent disorder was observed by Council Officers with small groups of people arriving from various venues within the town creating a larger group all hanging around outside the premise arguments then ensued between the various groups requiring the intervention of both the police and door staff from various premises thus diluting supervision at designated posts, door staff at Flamingos unable to close doors to premise due to attempting to contain disorder outside as no police presence observed after 5am, individuals were observed urinating in the street, further instances of mismanagement of waste in the form of illegal depositing of controlled commercial waste in black bags not in the correct receptacle contrary to section 47 EPA 1990.

03.15 [redacted] and Amir's formerly Al goucha.  
03.55 [redacted] Amir's door staff now on duty still no door staff at Pizza Luigi.  
[redacted] door staff observed as being on duty.

**Blackpool Council****STATEMENT OF WITNESS**

(Criminal Procedure Rules 2005, r27.1 (1);  
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5A (3)(a) and s.5B)

**STATEMENT OF:** Lindsay Milner

**Age if under 18:** Over 18

**Occupation of Witness:** Public Protection Officer – Food Control

**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**.....  ..... **Dated**..... 17/4/15 .....

I am Lindsay Milner, Public Protection Officer – Food Control for Blackpool Council's Public Protection Division. As such I am authorised to enforce legislation relating to the Food Safety and Hygiene (England) Regulations 2013.

On 9 May 2014 at approximately 22:00 I visited Al Goucha, 1A Dickson Road, Blackpool, FY1 2AX, to conduct a food hygiene inspection based on a request for a revisit due to a food hygiene rating of 1 being given to the business following a previous inspection. I introduced myself to the employee present who gave his name to be Amir Abdun. When I asked who the food business operator was he stated that was Ateef Saad. The previous inspection highlighted training issues. On talking to the employee he did not know critical limits required to ensure food safety, such as the required fridge temperature. He did not know what the 'ticks' to the monitoring records represented, rendering the monitoring records meaningless. There was a food safety management system available in the form of the Blueprint for Safer Food document; although it needed amending. Chicken to the hot hold unit was temperature probed to a temperature of 48.7°C when hot food should be stored above 63°C. No probe thermometer was available even though they claimed that food is temperature probed to ensure that it has been cooked thoroughly. Further contraventions included sauces being stored amongst cleaning chemicals, and grease and dirt to the chopping board. Oil that is made from genetically modified soya was also being used, without a sign to the customer indicating that they are using a genetically modified product.

On 26 September 2014 I returned to the premises, again greeted by Amir Abdun. Mr Abdun then told me that he had taken over the business and was now the new food business operator. There was still the issue of training as he has not yet attended a course as previously requested; I later posted the course dates for Blackpool Council's food hygiene course.

I temperature probed the chicken in the hot hold unit which gave a reading of 54°C, again lower than the required 63°C. There was dirt to the shelving of the basement and old food was found in a carrier bag in the fridge, which was claimed to have been put there waiting to put it out with the rubbish.

A registration form was received by this office completed and signed by Amir Abdun, stating that he is the food business operator, dated 23 October 2014.

I revisited the premises on 5 December 2014 to check the compliance with the warning letter following the 26 September inspection. The hot holding unit had been changed and a piece of chicken gave a temperature reading of 80°C approx. 40 minutes after being cooked. The name of the business had changed to Amir's by this visit Mr Abdun therefore completed a new food business registration form stating the new name.

From my initial inspection on 9 May 2014, the business has had continuing issues relating to food hygiene practices, and training. Although Mr Abdun has still not attended a food hygiene course, he has appeared to rectify all other issues brought to his attention.



THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 30 MAR 2015 AT 13:28:53. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN THE REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY LAND REGISTRY, FYLDE OFFICE.

TITLE NUMBER: LA713276

There is no application or official search pending against this title.

## A: Property Register

This register describes the land and estate comprised in the title.

### BLACKPOOL

- 1 (14.12.1983) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 1, 1a, 1b, 3 and 3a Dickson Road and 34 and 36 Queen Street, Blackpool.
- 2 The land has the benefit of the following rights reserved by but is subject to the following rights granted by a Transfer of 38 to 42 (even) Queen Street dated 31 May 1985 made between (1) Elwyn James Nicol and James Edgar Rawlinson and (2) Andreas Mylonas:-

"TOGETHER WITH

(i) The right for the free passage and running of water soil smoke gas and electricity to and from the Premises through the drains flues pipes wires and cables in on or under the adjoining and retained land of the Vendor (hereinafter called "the retained land" being the remainder of the land comprised in the above Title Number which Retained Land is coloured orange on the plan annexed hereto and together with the right for the Transferee and his successors in title to enter upon the Retained Land at all reasonable times to inspect or to add to or repair the same causing as little damage as possible and reinstating the same as near as possible to its former state and condition to the reasonable satisfaction of the Transferors and as soon as reasonably practical and

(ii) full right to support shelter or protection either now enjoyed or intended to be enjoyed in connection with the Premises from or over the Retained Land and

(iii) full and free right and liberty (so far as the Transferors can lawfully grant the same) for the Transferee and his successors in title tenants assigns licensee servants agents and all others to pass and re-pass on foot only over and along so much of the land comprised in the above Title Number as is coloured green on the plan annexed hereto for the purpose of obtaining access to and egress from the Premises and

(iv) all other rights easements or privileges enjoyed or reputed to be enjoyed in or over the Retained Land by the Premises.

Except and reserving unto the Transferors their successors in title assigns tenants licensee servants agents and all others for the benefit of the Retained Land now or formerly belonging to the Transferors:-

(1) the right for the free passage and running of water soil smoke gas and electricity to and from the Retained Land through the drains flues pipes wires and cables in on or under or to be in on or under the Premises together with a right for the Transferors and their successors in title to enter upon the Premises at all reasonable times to inspect or to add to or repair the same causing as little damage as possible and reinstating the same as near as possible to its former state and condition to the reasonable satisfaction of the Transferee and as soon as reasonably practicable and

## A: Property Register continued

(2) full rights of support shelter or protection either now enjoyed or intended to be enjoyed in connection with the Premises from or over the Retained Land and

(3) all other rights easements or privileges enjoyed or reputed to be enjoyed in on or over the Premises by the Retained Land.

*NOTE: Copy plan filed under LA528399.*

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (31.01.2013) PROPRIETOR: SAMUEL FRANCIS JOHN STOPFORD and BARBARA JOANNE MCCOLL of 21 Hambledon Place, Dulwich, London SE21 7EY.
- 2 (31.01.2013) The price stated to have been paid on 21 December 2012 was £330,000.
- 3 (31.01.2013) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.
- 4 (31.01.2013) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land tinted pink on the filed plan dated 18 May 1905 made between (1) Edward Dickson McNaughtan and Ephraim Hilliard (2) Jane Ann McNaughtan and (3) John Fish contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 2 A Conveyance of the land tinted blue on the filed plan dated 18 May 1905 made between (1) Edward Dickson McNaughtan and Ephraim Hilliard (2) Jane Ann McNaughtan and (3) John Fish contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 3 A Conveyance of the land tinted brown on the filed plan and other land dated 18 May 1905 made between (1) Edward Dickson McNaughtan and Ephraim Hilliard (2) Jane Ann McNaughtan and (3) John Fish contains restrictive covenants but neither the original Deed nor a certified copy or examined abstract thereof was produced on first registration.
- 4 A Conveyance of the land in this title and other land dated 18 May 1905 made between (1) Edward Dickson McNaughtan and Ephraim Hilliard (2) Jane Ann McNaughtan and (3) John Fish contains restrictive covenants but neither the original Deed nor a certified copy or examined abstract thereof was produced on first registration.
- 5 A Transfer of the land in this title and other land dated 7 October 1983 made between (1) The Rank Organisation PLC (Transferor) and (2) Elwyn James Nicol and James Edgar Rawlinson (Transferees) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 6 (01.12.2006) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto. The leases grant and reserve easements as therein mentioned.

## Schedule of restrictive covenants

1 The following are details of the covenants contained in the Conveyance dated 18 May 1905 referred to in the Charges Register:-

"The said John Fish (hereinafter called "the Purchaser") doth hereby for himself his heirs executors administrators and assigns (all of whom shall be included in the expression "the Purchaser" where the context so admits) COVENANT with the said Edward Dickson McNaughtan and Ephraim Hilliard (hereinafter called "the Vendor") their heirs executors administrators and assigns and as a separate covenant with each of them his heirs executors administrators and assigns the Trustees or Trustee for the time being of the said Will of the said Testator Robert Dickson or other the owners or owner for the time being of the lands and hereditaments now subject to the trusts of the said Will (all of which persons shall be deemed to be included in the expression "the Vendors" where the context so admits

.....  
that the Purchaser shall build and complete to the satisfaction of the Vendors or their Surveyors upon the said plot of land hereby conveyed before the Second Day of May One Thousand Nine Hundred and Six with brick or stone slate and other good materials not more than one good and substantial dwellinghouse and shop of not less annual letting value than Eighty pounds and not more than two lock up shops of not less annual letting value than Thirty five pounds each facing Dickson Road aforesaid and such dwellinghouses and shops shall have the fronts of an elevation and design to be approved of by the Vendors or their Surveyors and be in such line and have the thresholds of such level as may be fixed upon by the Vendors or their Surveyors and that no other building shall be erected upon the said plot of land and that previous to the erection on the said plot of land of any buildings or walls the Purchaser shall submit to the Vendors or their Surveyors plans and elevations thereof and obtain the approval in writing thereto by the Vendors or their Surveyors And that no buildings or walls except as herein provided for shall be erected nearer the road or street than the line marked or shewn as "Building Line" upon the said plan and that the space between such line and the side of such road or street and coloured green in the said plan shall for ever be left open and unbuilt upon and shall not be intersected by or crossed or otherwise have placed upon it any obstruction of any kind or be used for the sale of any goods or merchandise but shall always be used as ornamental garden ground Where there are any houses adjoining the same on the ground floor (except as hereinafter mentioned and except where used for bay windows steps or porticoes which shall not project more than three feet from the said building line except where used for the erection of a fence or boundary wall (which shall be of the height and design approved of by the Vendors or their Surveyors) dividing the gardens from the adjoining owners) and that such space shall be enclosed with a neat dwarf wall not exceeding three feet in height above the sidestones and covered with a stone coping six inches thick and iron palisades or otherwise to the satisfaction of the Vendors or their Surveyors and that the walls with the coping stone and iron palisades fixed thereon shall be of a design approved of by the Vendors or their Surveyors PROVIDED that in the case of a shop or shops being erected on the said plot of land the space of land in front of such shop or shops shall not be enclosed as hereinbefore provided but shall be neatly flagged or otherwise dealt with to the satisfaction of the Vendors or their Surveyors And that no building fronting to Dickson Road shall be less than two storeys or twenty feet high from the threshold to the square and that all houses and shops shall be of a design to be approved of by the Vendors or their Surveyor and with stone or overhanging cornices and stone steps window sills and heads and that no backhouses shall be erected upon the said plot of land and no building shall be used as a public dancing room nor for the sale of ale beer wine or spirituous liquors to be consumed either on or off the premises nor for the purpose of a Club nor for any purpose which may cause more smoke noxious vapours noise vibration or disagreeable smell than a private dwellinghouse or which may be considered by the Vendors as inconvenient noisy noisome or detrimental to the neighbourhood and that no building shall be erected and finished as back and front houses and that no cellar shall be inhabited as a separate dwelling nor used for the purpose of weaving and that no cellar holes steps or projections shall extend further into the footpath than eighteen inches and that all cellar holes shall be guarded by iron bars eved and at right angles with the footpath and of not less than three quarters of an inch square



## Schedule of restrictive covenants continued

nor placed more than two inches as under and that there shall be reserved and excepted to the Vendors the following rights and powers that is to say

(a) the right and power at any time to alter amend divert or stop up any of the roads streets passages or lines of sewers over in or through the lands and hereditaments now subject to the trusts of the said Will of the said Testator Robert Dickson (hereinafter called the trust estate) or any portion thereof and the Vendors shall not be under any obligation with regard to the user and enjoyment of the said roads streets passages or sewers or the adjoining property and

(b) the right and power for the Vendors and Purchasers from them of building on any land available for building purposes up to the land hereby conveyed and of granting rights of way or road draining or sewerage in over through or along any portion of the trust estate to adjoining owners without paying any compensation therefor or in respect thereof. And

(c) the right and power for the Vendors to alter the general plan (if any) of the trust estate so far as it relates to the other land comprised therein and to sell such other land either subject or not subject to all or any of the stipulations herein contained or to any other stipulations and also the right to release or alter any of the covenants or stipulations that may have been or may hereafter be inserted in the Conveyances of such other land AND IT IS hereby agreed and declared that the Covenants hereinbefore contained shall so far as may be necessary for the purpose of reserving or conferring any rights or interest to or on the Vendors or Purchasers from them or any of them operate as reservations or exceptions.

NOTE: The "Building Line" is the existing line of building and the area coloured green is that between the building line and the roadway.

2 The following are details of the covenants contained in the Conveyance dated 18 May 1905 referred to in the Charges Register:-

"The said John Fish (hereinafter called "the Purchaser) doth hereby for himself his heirs executors administrators and assigns (all of whom shall be included in the expression "the Purchaser" where the contest so admits) covenant with the said Edward Dickson McNaughtan and Ephraim Hilliard (hereinafter called "the Vendors") their heirs executors administrators and assigns and as a separate covenant with each of them his heirs executors administrators and assigns the trustees or trustee for the time being of the said Will of the said Testator Robert Dickson or other the owners or owner for the time being of the lands and hereditaments now subject to the trusts of the said Will (all of which persons shall be deemed to be included in the expression "the Vendors" where the context so admits ..... that the Purchaser shall build and complete to the satisfaction of the Vendors or their Surveyors upon the said plot of land hereby conveyed before the second day of May One thousand nine hundred and six with brick or stone slate and other good materials not more than one good and substantial dwellinghouse and shop of not less annual letting value than Eighty pounds and not more than one lock up shop of not less annual letting value than Thirty five pounds facing Dickson Road aforesaid and such dwellinghouses and shops shall have the fronts of an elevation and design to be approved of by the Vendors or their Surveyors and to be in such line and have the thresholds of such level as may be fixed upon by the Vendors or their Surveyors and that no other building shall be erected upon the said plot of land and that previous to the erection on the said plot of land of any buildings or walls the Purchaser shall submit to the Vendors or their Surveyors plans and elevations thereof and obtain the approval in writing thereto by the Vendors or their Surveyors And that no buildings or walls except as herein provided for shall be erected nearer the road or street than the line marked or shewn as "building line" upon the said plan and that the space between such line and the side of such road or street and coloured green in the said plan shall for ever be left open and unbuilt upon and shall not be intersected by or crossed or otherwise have placed upon it any obstruction of any kind or be used for the sale of any goods or merchandise but shall always be used as ornamental garden ground where there are any houses adjoining the same on the ground

### Schedule of restrictive covenants continued

floor (except as hereinafter mentioned and except where used for bay windows steps or porticoes which shall not project more than three feet from the said building line except where used for the erection of a fence or boundary wall (which shall be of the height and design approved of by the Vendors or their Surveyors) dividing the gardens from the adjoining owners) and that such space shall be enclosed with a neat dwarf wall not exceeding three feet in height above the sidestones and covered with a stone coping six inches thick and iron palisades or otherwise to the satisfaction of the Vendors or their Surveyors And that the walls with the coping stone and iron palisades fixed thereon shall be of a design approved of by the Vendors or their Surveyors Provided that in the case of a shop or shops being erected upon the said plot of land the space of land the space of land in front of such shop or shops shall not be enclosed as hereinbefore provided but shall be neatly flagged or otherwise dealt with to the satisfaction of the Vendors or their Surveyors And that no building fronting to Dickson Road shall be less than two storeys or twenty feet high from the threshold to the square and that all houses and shops shall be of a design to be approved of by the Vendors or their Surveyor and with stone or overhanging cornices and stone steps window sills and heads And that no backhouses shall be erected upon the said plot of land and no building shall be used as a public dancing room nor for the sale of ale beer wine or spirituous liquors to be consumed either on or off the premises nor for the purpose of a Club nor for any purpose which may cause more smoke noxious vapours noise vibration or disagreeable smell than a private dwellinghouse or which may be considered by the Vendors as inconvenient noisy noisome or detrimental to the neighbourhood and that no building shall be erected and finished as back and front houses and that no cellar shall be inhabited as a separate dwelling nor used for the purpose of weaving and that no cellar holes steps or projections shall extent further into the footpath than eighteen inches and that all cellar holes shall be guarded by iron bars even and at right angles with the footpath and of not less than three quarters of an inch square nor placed more than two inches as under And that there shall be reserved and excepted to the Vendors the following rights and powers that is to say (a) the right and power at any time to alter amend divert or stop up any of the roads streets passages or lines of sewers over in or through the lands and hereditaments now subject to the trusts of the said will of the said Testator Robert Dickson (hereinafter called the trust estate) or any portion thereof and the Vendors shall not be under any obligation with regard to the user and enjoyment of the said roads streets passages or sewers or the adjoining property and

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NOTE: The building line is the existing line of building and the area coloured green is that between the building line and the roadway.

3 The following are details of the covenants contained in the Transfer dated 7 October 1983 referred to in the Charges Register:-

"The Transferees hereby jointly and severally covenant with the Transferor as follows:-

.....

Schedule of restrictive covenants continued

..

"That they the Transferees and their respective successors in title with the intent and so as to bind the property hereby transferred and every part thereof into whosoever hands the same may come so as to be annexed to and to enure for the benefit and protection of the properties of the Transferor and its associated companies situate at Numbers 72/84 Promenade and 29/33 Market Street, Blackpool (known as "The Lobster Pot") and the Odeon Dickson Road, Blackpool aforesaid and every part or parts thereof and the owners tenants and occupiers thereof for the time being not at any time to use or permit or suffer to be used the property hereby transferred or any buildings now or hereafter erected thereon or on any part thereof (and either alone or in connection with other property) for the purpose of a Bingo Theatre or Hall or a Cinematograph Theatre."

Schedule of notices of leases

1	01.12.2006 Edged and no'd 1 in blue	1 Dickson Road	16.11.2006 10 years from 16.11.2006	LAN42873
2	30.09.2009 edged and no' d 2 in blue	3a Dickinson Road (ground floor and basement)	03.08.2007 10 years from 12.6.2007	LAN93621
3	25.05.2010 Edged and numbered 3 in blue	1b Dixon Road and 34 Queen Street	17.05.2010 10 years from 17/05/2010	LAN103572

End of register

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**From:** Danny Stephenson  
**Sent:** 01 April 2015 11:07  
**To:** 'tareq@live.co.uk'  
**Subject:** Dickson Road Takeaway's

Dear Tariq

You contacted the Council to request a meeting on the week commencing 23/3/15 with regards to your concerns around a review that has been submitted for some of the takeaway's on Dickson Road you suggested you had been approached by the Licence Holders of Los Gringos, Pizza Luigi and Amir's formerly Al Goucha to speak on their behalf as the Licence holders are unable to attend.

This was informally agreed by Mark Marshall that yourself and representatives of the other Takeaways could attend Bickerstaffe House on Monday the 30<sup>th</sup> of March 2015.

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- 1, Staff on duty when visits occur demonstrate lack of knowledge or understanding of CCTV recording system as suggested by Sarjalosh and agreed by other representatives all staff to be trained and competent in the full operation of CCTV recording and images to be produced within 1 hour of request
- 2, Tariq suggested extra Door staff on duty throughout the shift during busy periods (suggestion 2 staff per store 3-7 am or close of play on busy times at weekends and special events) Sarjalosh expressed concern around this due to cost implications however all representatives agreed this was needed going forward.
- 3, Danny Stephenson suggested daily Schedule to be implemented for regular litter patrols of exterior areas as per annex 2 of current licensing conditions ( suggestion minimum 4 patrols on busy days, 2-3 patrols on quiet days) this was agreed by all present.
- 4, Danny Stephenson suggested all stores to fulfil legal obligation of having a registered Waste Carrier in place this was agreed by all present.
- 5, Danny Stephenson suggested to prevent confusion all stores to display current and valid Waste Transfer Notices (or at least be able to produce one) this was agreed by all present.
- 6, In the interest of managing customers safely it was discussed around the room Amir's formerly Al Goucha to start the practice of having only one entrance( Amir agreed and will decide which entrance is best for the store) this was also agreed by Sarj Alesh.
- 7, Tariq suggested all stores to instigate compliance training (to be discussed and arranged for the near future and courses will be possibly be offered by Council).
- 8, Danny Stephenson suggested better and consistent Waste Management practices implemented with immediate effect ( for example correct receptacles used, no clutter in stores and not deposited on footways) this was agreed by all present.

Please note the areas discussed and agreed for implementation and reiterated by Mark Marshall and Ben Reynolds that this will not prevent the review from taking place or any final decision that is made and that these are practices that should already be in place.

Nb as discussed will you please ensure the other stores are able to view this email.

Tariq it would be a good idea for you to submit a written proposal of the changes you think would be necessary, this way we can lodge these with the Committee as 'Voluntary Proposals' this way they can consider the appropriateness' and impose them as conditions if they adequately promote and safeguard the Licencing objectives.

Regards

**Danny Stephenson**

**Commercial Waste Enforcement**

**Public Protection Division**

**Community and Environmental Services**

**Bickerstaffe House, Number One Bickerstaffe Square, FY1 3AH**

**TEL: 01253 478497**

**M: 07827255164 E: [danny.stephenson@blackpool.gov.uk](mailto:danny.stephenson@blackpool.gov.uk)**

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	<b>LANCASHIRE CONSTABULARY</b>			
Name of Officer <i>(please print)</i>	PC 3127 Ben Reynolds			
Signature of Officer				
Contact telephone number	<b>01253 604079</b>			
Date representation made	<b>07</b>	<b>04</b>	<b>15</b>	
Do you consider mediation to be appropriate				NO

**Name of Responsible Authority / Applicant who requested a review of this Licence**

**Blackpool Council Licensing Authority**

**Premises Details**

Premises Name	<b>Al Goucha</b>
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)

I am in receipt of a review application submitted by Blackpool Council Licensing Authority for the above premises and on behalf of the Chief Officer of Police I wish to make a representation in support of that review.

Due to the make-up of Blackpool's night time economy much of the trade migrates toward the late night licensed premises in and around the area of Dickson Road and Springfield Rd. It is in this area that this takeaway sits along with two other takeaways which are also subject to review. Once the on-licensed premises close the three takeaways form an area which prolongs the night time economy beyond 5am and 6am. In doing this they have become a magnet for crime and disorder which impacts significantly on the resources of Lancashire Constabulary as officers are required to remain in the area in order to police the customers frequenting the takeaways and prevent regular occurrences of what vary from minor skirmishes to serious assaults. It is only when officers have successfully ushered the customers away from the area into taxis etc. that normal policing can continue and the area becomes less resource and demand intensive. I attach a formal statement from PC 246 Cross in support of this view.

It is the opinion of Lancashire Constabulary that Al Goucha contributes to these issues briefly outlined above and completely support Blackpool Council Licensing Authority in this process.




**Witness Statement**

(CJ Act 1967, s.9 MC Act 1980, s.s.5A (3a) and 5B MC Rules 1981, r.70)

Statement of **PC 246 CROSS**

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

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.

Dated the **1st** day of **April 2015**

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

Signature

I am Police Constable 246 Cross serving with Lancashire Constabulary currently attached to Team 1 OSU West Division, based at Blackpool Central Police Station. Most weekends there are a number of patrols solely dedicated to patrolling the town centre either on foot or in liveried personnel carriers, the dedicated name for this on-going operation is ASLAN. My team and I are often tasked with patrolling the town centre at the weekends as part of operation ASLAN and have sole responsibility for policing the town centre after 3am, once all other dedicated patrols have left. One of our main areas of responsibility in the town centre is the area of Dickson Road, directly at the top of Queen Street.

I have been asked to submit a statement regarding the effects of the late night economy having extended opening hours, post 3 am, in the area of Dickson Road, Blackpool immediately in the vicinity of Flamingos night club and several late night take aways. This area is often a problem for us as several roads converge on this area, there are several take ways open post 3 am, it serves as a taxi rank and Flamingos is the main nightspot that remains open after all the others have closed. These combined elements create disorder and frequent fights break out amongst the late night revellers.

Signature

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Firstly, with flamingos being open later than any other nightspot most of the revellers in left in the town centre area at normal closing time head there to end the night. Consequently you can often find people who have been drinking heavily for 12 + hours at the venue and when they leave they are extremely intoxicated. They then leave the nightspot and head to the take aways to order food or simply hang around.

Secondly, you can often find people of all ages who have not been out into town but come to the area to hang around the take aways and mix with the drinkers. This then becomes a flash point as the takeaways not only attract groups or individuals from Flamingos, but also people heading back to their hotels, locals on their way home and people waiting or queuing for a taxi. Frequent fights and disturbances are often broken up by colleagues and I before they become serious.

Thirdly, we often intervene in disturbances that occur in the road, which in itself creates public and officer safety problems and concerns as traffic does not always stop. We have also witnessed near misses as drunks hanging around the takeaways stagger in and out of the road as moving traffic goes past.

These combined elements mean that my team often solely concentrates its efforts in this area. This creates a strain of resources as it takes several officers to deal with this area effectively and so other vulnerable areas are not policed as effectively as they should be.

A reduction in the hours that these premises are licensed to open to would help alleviate the problem as it would not attract the sheer volume of people that arrive in the area post 3 to 4 am and would 'free up' resources that are needed elsewhere on busy weekends both in and out of the holiday season. It would also discourage members of the public from going to the area to mingle

Signature

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with the revellers and adding to the problem as without the takeaways there would be no attraction for them to do so. I also feel that given that there are a number of residential properties and hotels nearby that the noise and disturbances created in the area during the small hours is unacceptable. As a footnote my teams usual tour of duty ends at 6 am and this area is often still busy with people as we are leaving, further putting a strain on resources with patrols either finishing late or patrols from the early turn shift dealing with the aftermath.

Signature

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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	<b>Health and Safety</b>			
Name of Officer <i>(please print)</i>	Gareth Shaw			
Contact telephone number	478315			
Date representation made	<b>08</b>	<b>04</b>	<b>2015</b>	
Do you consider mediation appropriate			<b>YES</b>	<b>NO</b>

**Name of Responsible Authority / Applicant who requested a review of this Licence**

Licencing Authority

**Premises Details**

Premises Name	<b>Al Goucha,</b>			
Address	1a Dickson Road,			
	Blackpool			
	Lancashire			
Post Code	FY1 2AX			

**Details of your representation in support of the review application**

(Please reference & attach supporting any documentation)

The Health and Safety Authority would like to support this review by showing a history of poor health and safety management.

A full chronology of dealing with this premise will be submitted as additional evidence as soon as it has been collated and officers return from leave.

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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**

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Do you consider mediation appropriate			YES	NO

**Name of Responsible Authority / Applicant who requested a review of this Licence**

Licencing Authority

**Premises Details**

Premises Name	<b>Al Goucha,</b>
Address	1a Dickson Road,
	Blackpool
	Lancashire
Post Code	FY1 2AX

**Details of your representation in support of the review application**

(Please reference & attach supporting any documentation)

The Health and Safety Authority would like to support this review by showing a history of poor health and safety management.

**Additional information for the review;**

**October 2010**

Officer Jacqui Harrison visits and finds the business being operated by Mr Kalid Alali in the name of Dream Girls a formal written warning is issued in relation to some structural and sanitary facilities issues.

**February 2013**

A visit by Electricity Northwest revealed a drill hole in the electric meter and it was disconnected for that interference.

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