

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

The submission is in the following sections

1. Police Action Plan
2. Overview and Background of the area
3. Crime Statistics
4. National and local picture on drunkenness in the Night-time economy
5. National and local picture of the Door Security Industry
6. Response to Police incidents
7. Response to Licensing Authority Representation
8. Response to Environmental Protection representation
9. Response to interested parties
10. Conclusion

Section 1. Police Action Plan

- 1.1 The Police action plan was issued following a meeting on the 21st of June 2022, the narrative in the review application is as follows.

On Tuesday 21st June at 1100 hours a meeting was held between Sgt Cox, the licence holder, his manager (Sean McHale), Martin Chapman - owner of Link Security and Lee Petrak, Blackpool Council licensing manager. Numerous incidents were discussed as outlined above and recommendations made to the licence holder.

- 1.2 There are numerous things in the action plan that presented difficulty to the LH (Licence Holder) that he could not achieve for business continuity purposes, namely, to close at 2 am. The business takes between 65-70% of its turnover between the hours of 3 am and 5 am. This issue on its own would have meant the business would become immediately unviable.

- 1.3 Action plans should focus on realistic and achievable outcomes, ideally agreed upon by all parties with regular review to track progress using the following acronym

S - Specific
M-Measurable
A- Achievable
R- Realistic
T- Time-bound

- 1.4 A copy of the action plan is found below with an additional note column added to raise concerns about its content.

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

Action number	Identified Problem	Recommended Action	Reason for Action	Timescale	Comments
1.	Drunk customers within venue.	Better controls over who enters venue.	To prevent drunk persons from causing issues later in the night.	Immediate	A study from John Moors University (sec 3) looked closely at the issue of drunkenness. This action is difficult to measure. Was it to be measured by police observations, documented refusals, or police incidents? If it was to be police incidents August 2022 saw a reduction of 7 incidents from the same period in 2021
2.	Drunk customers within venue.	Ensuing drunk persons are not served alcohol.	To prevent drunk people becoming even more intoxicated.	Immediate	How could this be measured? A better action may have been to record refusals and assess those over a period and establish which bars servers are refusing and which are

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

					not then tailor training or disciplinary action accordingly
3.	Appearance that poor behaviour in venue is tolerated.	Better links with pubwatch and submit all assault suspects for ban.	To improve the image of the bar and dissuade troublemakers from attending.	Immediate	
4.	Numerous logs for late night disorder outside venue.	Close the premises at 2am.	To prevent further calls to Police about assaults, fights and drunken behaviour.	Immediate – to see if it reduces incidents while other measures are implemented.	Based on the business's peak time, which is between 3 am and 5 am. This should have been explored at the meeting. To agree such an action would have been unworkable for the premises. From the list provided by the police, they have provided details of 37 incidents where times are listed. 27 are recorded as happening beyond 3 am and only 5 between midnight and 3 am.
5.	Glass being used late at night.	Ensure venue is fully using polycarb glasses by 9pm each night.	Due to incidents of disorder, it is a high possibility that glass may be used during	Immediate	Premises already use plastic from 3 am but previous discussions

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

			a fight as a weapon.		have suggested midnight. This does not seem to coincide with the times of risk highlighted elsewhere in the Police Review, which indicate beyond 3 am is the problem. A recorded incident relating to glass occurred at 15.49 on the 15 th of January 2022 and 05.10 on the 15 th of May 2022. The 05.10 incident is not something the premises have a record of and there was no trace of the victim or offender on police arrival. The premises would have been serving drinks in plastic by this time
6.	Complaints of excessive use of force by door staff.	Better control by door company of their staff to only	To prevent further complaints or any assaults.	Immediate – Martin aware and will sort.	This is beyond the capability of the LH and

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

		act as per SIA guidelines.			therefore not achievable; he relies on a 3 rd party sub-contractor to provide properly licensed and trained staff. What else can he do but engage the services of a reputable contractor? He can flag up issues of concern with the sub-contractor and ask for individuals to be removed or replaced
7.	Dispersal of persons after closing.	Door staff to ensure people vacate the area quietly.	To prevent drunken gatherings outside the venue becoming fights.	Immediate – Neil states he has a door supervisor on until 6am to assist.	Unrealistic to expect all customers to disperse from the area after the premises closed. The area is arranged in such a way as to hold people in the vicinity for protracted periods inadequate taxi ranking and multiple takeaways in close proximity have been an issue for some time.

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

8.	People gather in the door smoking.	Ensure all people use the smoking area and the doorway is kept clear.	Drunk persons smoking immediately in front of the door encourage disorder.	Immediate	This is a reasonable request and was implemented immediately
9.	Numerous reports of thefts within venue.	Better control of lost property and advertising this on Social Media.	To prevent crime reports being created for lost phones.	Immediate	Realistic and reasonable improvements implemented
10.	Bar staff within venue have been investigated for assault.	Ensure only suitable persons are employed in the venue.	The named individual, who has been identified as a suspect in an assault at the venue is still working there.	Immediate	The only incident where there has been an issue is with male A. He was told by Officers who attended on the evening that his actions were reasonable (listed in the response to police log section). No charges were ever laid against male A for this incident although there was an issue with criminal damage on a taxi when he was off duty
11.	Customers hanging around outside after closing.	Switch off signs earlier and encourage customers to vacate the area quicker.	Drunk persons outside can cause disorder, linked back to the venue.	Immediate	Agreed and implemented immediately

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

Discussed at meeting 11 am 21st June 2022.

Recommendations by Sgt 3390 Cox (Police Licensing) & Lee Petrak (Blackpool Council Licensing Manager)

To be reviewed: 25th July 2022.

- 1.5 What happened between the issue of the action plan and the 25th of July 2022 to warrant
 - A. Not having a review meeting as indicated above.
 - B. Moving to the decision to review the Licence.

- 1.6 The action plan sets the Licence Holder up to fail, many of the items are unrealistic and unreasonable there could have been no 'buy-in' from the LH which is an essential component for making this process work. The Metropolitan Police issue guidance to their own officers about formulating an action plan and have a flow diagram that demonstrates how the process should work. An older Home Office Document mirrors the same approach to Action Plans. In short, the actions should be agreed upon, the actions should be SMART, the monitoring process should occur, and subsequent failures should be identified with a warning that enforcement action will follow. The two flow charts are attached as **Appendix 1a and 1b**.

Section 2 Overview and Background of the Area

- 2.1 The area has seen stress since the closure of the Syndicate nightclub in 2011, many premises in the area have had their licences reviewed over the last 7-10 years including the Flamingo night club which responded to regulatory action in 2012 and 2018.

- 2.2 The area sees customers arrive very late at night and all businesses operating at night must deal with the most problematic customer base. Most of the individuals already arrive in the locality heavily intoxicated and the policing tactics in this area have mainly been reactive rather than providing the high visibility presence that occurs at the West end of Queen Street.

- 2.3 This has been recognised and accepted over the last decade and almost every premises in the locality has prescriptive conditions to employ door staff at certain times of their operation. Even the takeaways are subject to strict controls which generally paints an abstract picture regarding the challenges for retailers and authorities alike.

- 2.4 The police application details occasions where the door staff condition has been breached. The club engages the services of a local reputable security provider. Their requirements are notified in advance, and they pay a considerable sum of money over the year running to over six figures for security personnel. The is not an LH who is intentionally trying to cut corners but the stresses being felt in the security industry are leading to problems nationally and will be discussed in more detail in part 5 of this submission.

- 2.5 Kaos for many years enjoyed a good working relationship with the police who recognised the challenges and were largely satisfied with the premise's response to issues. They have

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

numerous personal licence holders on the payroll (5 out of the 7-bar staff are PLH). They do their best to respond to the challenges.

2.6 To suggest that Kaos are the driver of crime in this locality is not accurate, we accept that they must play their part in preventing incidents that are foreseeable.

Section 3 Crime Statistics

3.1 The Police in their application have taken a close look at police logs or incidents over a 12-month period, their narrative is as follows

There have been 284 logs recorded by Police at Kaos from August 2021 to date (31st August 2022).

Of these, 76 have been recorded as assaults, 16 as public order, and 27 as a variety of other crimes. The Police system, Power BI, which records incidents across the county, shows Queen Street, Blackpool as the 3rd highest location for violent crime in the whole of Lancashire for the period of 1st August 2021 to the present day. Over a third of all violent crime recorded on Queen Street during this period is at Kaos.

3.2 Trying to establish an accurate statistical picture is difficult, different sources of information open to the public all look at the issue through a different prism, whether this is within a certain proximity of the street, the street itself, the time frame, and the crime category. The pattern nationally is that crime is going down rather than up and reflecting on the reductions in incidents in August 2021 attributed to Kaos vs the number in August 2022 you see a reduction of 7 (29.16% reduction)

3.3 Below is a detrimental statement on a website declaring Blackpool as the most dangerous major town in Lancashire but when they broaden the comparison field it reduces to the 197th most dangerous town in the UK. Statistics are matters of context and comparison. Some examples are found below to demonstrate the mixed picture that can be portrayed

<https://crimerate.co.uk/lancashire/blackpool>

Blackpool is the most dangerous major town in Lancashire and is the second most dangerous overall out of Lancashire's 236 towns, villages, and cities. The overall crime rate in Blackpool in 2021 was 146 crimes per 1,000 people. This compares poorly to Lancashire's overall crime rate, coming in 47% higher than the Lancashire rate of 77 per 1,000 residents. For England, Wales, and Northern Ireland as a whole, Blackpool is among the top 5 most dangerous major towns, and the 197th most dangerous location out of all towns, cities, and villages.

<https://www.streetcheck.co.uk/crime/fy11pu>

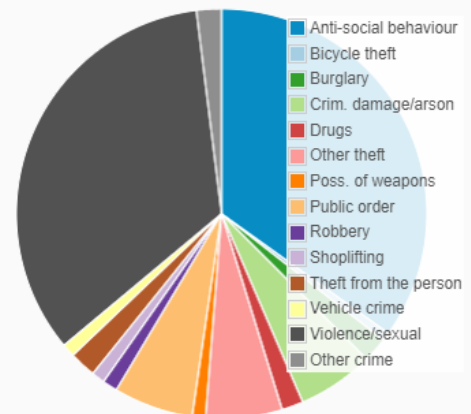
Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

Queen Street, Blackpool, FY1 1PU is within the **Claremont** policing neighbourhood, under the **Lancashire Constabulary** force area.

We have found **765** crimes in August 2022 within half a mile of the centre of FY1 1PU. All crime locations are approximate for reasons of privacy. [Find out more here](#)

Get Notified When This Crime Data Is Updated

Simply fill in this form and we will send you an email each month as we receive new data. You can unsubscribe at any time.



You are viewing crimes during **August 2022**. If you would like to find information for other months, you can select them from the dropdown list below. Alternatively, [click here to view the previous month](#).

<https://streetguide.co.uk/crime/lancashire/claremont>

Recorded Street Crimes

2018 2019 2020 2021 2022

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Category	Jun 2022	May 2022	Change	
Anti-social Behaviour	131	143	▼	Details
Burglary	14	14		Details
Criminal Damage/Arson	34	30	▲	Details
Drugs	7	7		Details
Other Crime	4	6	▼	Details
Other Theft	24	38	▼	Details
Possession of Weapons	3	3		Details
Public Order	24	32	▼	Details
Robbery	3	2	▲	Details
Shoplifting	3	6	▼	Details
Theft From The Person	4	6	▼	Details
Vehicle Crime	11	6	▲	Details
Violent Crime	153	177	▼	Details
Totals	153	177	▼	

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

3.4 The table below reveals a modest picture of crime numbers compared to the Pie Chart above which indicates 722 crimes in August 2022, the mean average crime rate between January 2022 and June 2022 looking at the table below for Queen Street is 30.1 crimes per month so how the table below arrives at these figures also adds confusion.

<https://ukcrimestats.com/Streets/53.820576000000000/-3.052173000000000/>

Crime history for this location

	ASB	Burglary	Robbery	Vehicle	Violent	Shoplifting	CD&A	Other Theft	Drugs	Bike Theft	Theft From the Person	Weapons	Public Order	Other	Total
Jun 2022	6	0	0	0	8	2	0	0	1	0	0	1	6	0	24
May 2022	10	1	1	0	16	4	2	3	1	0	2	0	5	0	45
Apr 2022	9	0	1	0	14	1	1	1	1	0	0	0	2	0	30
Mar 2022	6	0	0	0	15	3	1	0	0	0	0	2	0	0	27
Feb 2022	9	0	0	0	15	2	0	0	0	0	0	0	0	0	26
Jan 2022	8	0	0	0	13	2	1	1	0	0	0	1	3	0	29

3.5 Other sources of information list the crimes and subsequent actions that followed, the common theme next to most reported crimes was either no further action or insufficient evidence to proceed.

3.6 When going through the incidents that contain a narrative internal records held by the LH have been checked and whilst an explanation for all matters has not been possible there are some which reveal a totally different picture to the ones painted by the police. The table in Annex 6a lists 53 incidents copied from the police review. The LH has provided an explanation or comment to 41 of them (77.35%) The law of disclosure demands that if they are relying on Police data to prove a point, we should be able to examine it meaningfully. We are not required to rely on their word alone. The entirety of the Police logs will be requested at the appeal stage if it hasn't been produced earlier.

3.7 What can be said is the police have chosen to highlight the 'head of the log', Police logs provide a chronology from the call takers' initial request for service, through to deployment and allocation, then onto the officer's response and findings. On occasion you read matters such as "police called to a report of double stabbing "but then the result reported is no trace of "victim or offender ". The reader sees the emotive phrase of double stabbing and is rightly shocked. But what do the police find on arrival? No trace or victims have left the scene. The presentation of such evidence leads to one arriving at a conclusion in your mind about what went on which may be radically different from the facts in the case.

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

3.8 Without the full log it is impossible to draw an accurate conclusion as to what the actual issue was and more importantly what the LH did to contribute to it. The response to the police incidents is provided in Section 6.

3.9 The LGA (Local Government Association) handbook for Councillors advises Members sitting on a Licensing Committee to exercise caution when looking at police statistics.

Extract from LGA Handbook <https://www.local.gov.uk/publications/licensing-act-2003-councillors-handbook-england-and-wales-0#foreword>

Police

The police are one of the primary partners in managing the licensed economy and will gather considerable information about the operation of premises through their policing of the area. Consequently, the police are generally the most proactive of the responsible authorities in liaising with applicants and licence-holders, making representations about licences and seeking reviews of licences. Some police forces will have a dedicated licensing team and within that a police licensing officer who manages applications for premise licences, monitors compliance and coordinates enforcement activity.

In April 2017, a mandatory requirement was introduced for police forces in England and Wales to begin systematically recording alcohol-related crime. They are required to apply a 'flag' to their recorded crime data, for crimes where alcohol is perceived as an aggravating factor. This data is expected to inform future licensing and policy decisions at a local and national level, provided it is of sufficient quality. The police have a key role in managing the night time economy and should usually be the main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the Act may make representations with regards to any of the licensing objectives if they have evidence to support such representations.

A licensing committee must actually consider all relevant representations carefully, including crime numbers and other evidence presented by the police, as this may well include examples that do not relate to the licensable activity: several licensing decisions have been overturned on appeal as a consequence of this.

3.10 To conclude this section we say that if this exercise was carried out at almost every licensed premise in the vicinity of Kaos there would be incidents, and issues that occur at licensed premises reflect human behaviour, the question needs to be when the line of tolerance is crossed and how do the police arrive at that decision.

Section 4 National and local picture of drunkenness in the Night-Time Economy

4.1 Over the centuries there have been many laws in place to deal with drunkenness, it remains one of the easiest criticisms to level at the hospitality industry, but it is one of the most difficult nuts to crack

4.2 The Licensing Act 2003 creates an offence under section 141

141 Sale of alcohol to a person who is drunk

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

(1) A person to whom subsection (2) applies commits an offence if, on relevant premises, he knowingly—

(a) sells or attempts to sell alcohol to a person who is drunk, or

(b) allows alcohol to be sold to such a person.

(2) This subsection applies—

(a) to any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to sell the alcohol concerned,

(b) in the case of licensed premises, to—

(i) the holder of a premises licence in respect of the premises, and

(ii) the designated premises supervisor (if any) under such a licence,

(c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who at the time the sale (or attempted sale) takes place is present on the premises in a capacity which enables him to prevent it, and

(d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.

(3) This section applies in relation to the supply of alcohol by or on behalf of a club to or to the order of a member of the club as it applies in relation to the sale of alcohol.

(4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

4.4 The premises do their best with this issue and can demonstrate multiple occasions where they actively refuse entry or refuse service, this can be a flash point for the disorder. The report from John Moors University details the national picture as well as the findings of a research study conducted in Liverpool <https://researchonline.ljmu.ac.uk/id/eprint/3175/1/Liverpool-Drink-Less-Enjoy-More-intervention-evaluation-report-March-2016-4.pdf>

Some extracts from the report will follow

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

The high levels of drunkenness seen in town and city centres across the country belie the fact that it is illegal in the UK to sell alcohol to a drunk person, or to purchase alcohol for someone who is drunk². Across England and Wales, between 2009 and 2013 only 29 individuals were prosecuted for selling alcohol to a drunk person and only four individuals were prosecuted for purchasing alcohol for a drunk person (HC Deb, 2014). Both public awareness of the laws and bar server compliance with it appears low (Hughes and Anderson, 2008). In 2013, the first UK study examining the propensity of bar servers to serve alcohol to drunks was undertaken in Liverpool City Centre's nightlife environment. The study involved actors attempting to purchase alcohol in nightlife venues while portraying a state of extreme intoxication. In 84% of purchase attempts the actors were sold alcohol, despite bar servers often clearly recognising them as being intoxicated (Hughes et al., 2014). Factors such as difficulties by both bar staff and authorities in defining and identifying drunkenness, and difficulties for authorities in identifying offences, are thought to contribute to both the over service of alcohol to drunks, and the low detection and prosecution rate for this offence (Nicholls and Morris, 2014; Stockwell et al., 1997).

4.4 The report runs to 45 pages, and it is not intended to bog these proceedings down with the complexities of academic studies however the research highlights numerous issues such as drunkenness being commonplace in the NTE, multifaceted solutions being the most effective solution to address problems. Police enforcement is a key component but the statistics on the number of prosecutions between 2009 and 2013 demonstrate that an average of 7.3 prosecutions per year across the whole country occurred for serving alcohol to a drunk.

4.5 Reading this research begins to put into context the unrealistic nature of some of the tasks on the police action plan relating to drunkenness.

4.5 An FOI (Freedom of Information) was made to Lancashire Constabulary on the 25th of September 2022 asking for details of any fixed penalties or prosecutions relating to Sections 141 and 142 of the Licensing Act 2002. A response to the request was received on the 14th of October 2022 attached as **Appendix 4a**

Section 5 The national and local picture of the Door Security Industry

5.1 Post Covid hospitality has been hit across the board especially with regards to staffing, from waiters through to chefs, the industry has almost been at breaking point and the problems with obtaining services from 3rd party contractors have been equally problematic.

5.2 The national picture is that the industry is on its knees. Personnel have haemorrhaged away, post-Brexit, and due to COVID etc. They are not coming back. They want an easier life working in supermarkets. New recruitment into the industry is slow and difficult. Then we end up with newly qualified, and not the best in the business because the companies are desperate and will take whomever they can get. Money is tight to pay them. The SIA is making things harder by introducing more and more qualification barriers to the industry. It's bleak. Attached is a letter from Kim Malthouse who highlights the very issue of door staff in the 6th paragraph. Attached as **Appendix 5a**

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

5.3 Locally in Blackpool there are 4 or 5 security providers, but they all generally pull resources from the same pool, a common theme is that individuals can pick and choose which company to work for and change their minds the following day and still be guaranteed a job elsewhere. Demand for staff is that high and it is rapidly heading towards a situation if 'if you have a badge, you will do'

5.4 Service providers are spinning so many plates to cover the requirements, premises can open with a certain amount of door staff, and mid-shift, resources could be relocated to other venues very often without a DPS or LH being consulted. Security companies can find themselves trying to 'feed 5 mouths with 4 fish'

5.5 The local police are well briefed on the pressures around the Door Security issues and the Regulator's Code points towards a need to understand those they regulate.

1.3 Regulators should ensure that their officers have the necessary knowledge and skills to support those they regulate, including having an understanding of those they regulate that enables them to choose proportionate and effective approaches.

5.6 The police review highlights numerous occasions where the door staff requirements were lacking

On Friday 19th November 2021 at 2316 hours when the premises were checked by Police Officers, they were found in breach of their licensing conditions. The condition states that they must have 2 SIA door supervisors on duty at the entrance every Friday, Saturday and Monday. On Police arrival, there were no door supervisors on the door, although one was located within the venue. He was the only door supervisor on duty.

This incident led to the dismissal of the Security firm as it had also transpired that they had been poor at incident recording

*On Saturday 26th March at 0010 hours Kaos were visited by PC Pritchard and Sgt Cox. Only 2 door staff were on duty, which was a breach of their licence condition at this time. On enquiring with the manager, Sgt Cox was informed that the third member of door staff was on route and would be there shortly. **Male A** was observed within the venue and the manager confirmed that he was still employed by Kaos as bar staff.*

The condition on the premises licence reads;

A licensed door supervisor will be on duty from 20.00 until the premises closes. On Friday, Saturday and Monday evenings there will be a total of 2 supervisors on duty at the entrance, one starting at 20.00 and the second starting at 22.00, with a third door supervisor employed from midnight to monitor inside the venue

This issue needs to be set against the backdrop of the national and local picture,

The LH had booked his required provision in advance, and the staff member was only delayed by 10-15 minutes.

On Friday 15th April at 2245 hours a joint visit was conducted by PC Pritchard and Nicky Todd from Blackpool Council Environmental Protection at Kaos. They were attending following complaints from

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

*local residents about the volume of noise within the premises and the associated nuisance in the surrounding area. During this meeting, only one member of door staff was on duty and they were not present on the front door. **Male A** was observed working behind the bar.*

The LH has checked his records including the signing-in sheet for this date, and 3 staff members have signed in, and the security company invoiced him accordingly. The 3 staff members were

S Warburton
J Wain, and
D Buchanan

5.7 The police have been actively involved in visiting the premises, it would be a fair assumption to make that he has more police visits than any other premises. There are 49 conditions on the licence, but it seems to be the door staff one that is repeatedly highlighted. One of these occasions where the SIA staff member was 10-15 minutes late demonstrates a general lack of empathy as to the problems being experienced within the security sector.

5.8 The LH acted as swiftly as he could when security issues have been raised and dismissed the previous supplier in December 2021. He has regular contact with his existing supplier and a large amount of expenditure goes towards the security of the premises, he is not trying to cut corners or put profit before safety. He recognises that good security is an essential element for making the premises safe, but he does rely on those services being provided by a 3rd party.

5.9 Attached is a social media post from a local training provider that highlights the general pressures and challenges faced by Security providers locally. **Appendix 5b**

Section 6 Response to Police incidents

6.1 As well as listing the number of incidents the police focus on numerous reports, they consider to be particularly serious. The LH has undertaken an exercise of going through all the police incidents and whilst there are some recording deficiencies between September 2021 and December 2021 which has meant that an explanation for all items has not been possible. A large amount of the incidents in the table have an explanation or comment next to them. The table of police incidents is attached as **Appendix 6a** and the incident logs available (highlighted in green on the table) are attached as **Appendix 6b**

6.2 The LH wishes to expand on 2 of the incidents in this section,

*On Sunday 23rd January 2022 at 0545 hours a window at the front of Kaos was damaged by a customer. Door staff detained this customer outside the venue and the customer sustained a broken nose and eye socket during the incident. While some of his injuries were caused by door staff, a member of staff could be seen exiting Kaos before launching a flying kick at the customer and punching him repeatedly. This member of staff has since been identified as a male who previously possessed an SIA licence, but it was revoked following his arrest for GBH. This individual will be referred to as **male A** within this document. (LC-20220123-0390)*

The LH still has a CCTV recording of this incident which shows ' **male A**' leaving the premises through the front door and indeed does perform a flying kick. The circumstances were that a male was banging aggressively on the front window of the premises after it had closed. The offending male repeatedly beats against the window with his fist which goes on for

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

approximately two minutes. Male A along with numerous members of staff (including male A's partner) was in the club cleaning down. They clearly heard the banging on the window and did not react immediately but as the banging continued the windows began to crack and break. The glass is laminated and difficult to break but once cracks in the laminated glass began to form the staff inside became more and more concerned that the male inside was not going to leave the area.

CPS advice in relation to the use of reasonable force can be found at;

<https://www.cps.gov.uk/legal-guidance/self-defence-and-prevention-crime>

Reasonable Force

A person may use such force as is reasonable in the circumstances for the purposes of (in the alternative): -

- ***self-defence;***
- ***defence of another;***
- ***defence of property;***
- ***prevention of crime;***
- ***lawful arrest.***

In assessing the reasonableness of the force used, prosecutors should ask two questions:

- *was the use of force necessary in the circumstances, i.e. Was there a need for any force at all?; and*
- *was the force used reasonable in the circumstances?*

When the police arrived at the incident, they viewed the CCTV and did not declare there to be any immediate concern with male A's behaviour and he was not arrested. Looking at the CPS guidance at least 4 of the bullet points may apply to this incident. When male A had detained the offender after the kick, he pinned him down to restrain/apprehend him (a lawful citizen's arrest)

Male A was joined at the time of the restraint by an SIA door supervisor who was referred to the SIA for consideration of further action as the force used by him was believed to have gone over and above what was reasonable in the circumstances.

However, when male A did the flying kick, he was defending property, defending others who were inside (including his partner), preventing crime, and making a lawful arrest. It is also pertinent that following this incident male A has not been interviewed or contacted by the Police suggesting any further action is being considered.

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

6.3 On 20th May 2022 at around 0519 hours, Police were called to the report of a fight within the venue. On arrival it transpired that two females had been removed from the venue by door staff due to being extremely drunk. One of these females was a 17-year-old girl.

Kaos have a condition on their licence prohibiting anyone under 18 from entering the venue.

It is bad enough that she had been inside the club at all, putting them in breach of their licence, but to be there at this time in the morning, drunk, reportedly being assaulted and having to be removed by door staff, shows a clear lack of protection for children from harm.

The circumstances of this incident are also very clear in the LH's mind, and he investigated the matter at the time by viewing the CCTV of the incident.

The 2 females were vetted at the front door and had their ID checked; they were refused entry. Sometime later the alarms on the exit doors activated, and it is believed at this point the females gained unauthorised access. The police suggest that the presence of these females inside the club puts the LH in breach of their licence, in fact, these 2 young girls had entered the building as trespassers, so their presence was beyond his control (Section 139 (1)(a) of the Licensing Act 2003

They approached the bar once inside the club and attempted to purchase alcohol, staff checked their ID and refused service as the ID appeared to belong to someone other than the person presenting it, as such it was confiscated. The act of confiscation sent the 2 young girls into a dramatic rage, and they had to be manhandled and removed from the premises.

One of the females returned to the club the following day and requested that her ID be returned.

6.4 Without the entirety of the police logs Members can only read what they are being told but there are over 77% of the incidents where the LH has provided comment

Section 7 Response to Licensing Authority Representation

7.1 Mr Petrak makes the following observation in the opening paragraph of his representation.

Around late summer/early autumn 2021 I became aware of some issues of disorder in the area situated on Dickson Road at its junction with Queen Street in Blackpool. The area in particular is close to a number of licensed premises including late night takeaways and a popular taxi rank a few metres South along Dickson Road. The issues I had been made aware were generally post 3am. It is noteworthy that the area concerned is an area of cumulative Impact, making it a particularly high-risk area. Kaos bar is situated within this area.

The LH has been involved with the running of the premises for approximately 7 years and his view of the area is that it has been troublesome for some considerable time. Historic regulatory action against numerous premises in 2012 and 2015 also point towards this not being a recent phenomenon. Section 2 of this submission paints a picture regarding the changes that occurred in this area following the closure of Syndicate in 2011.

7.2 Mr Petrak 2nd paragraph states.

There are a number of late-night venues in the area referred to above, generally sharing terminal hours (for the purpose of selling alcohol by retail) between 2am and 4am. Only 2 venues

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

are authorised beyond 4am, one of which being Kaos bar. That other premises shares a terminal hour equal to Kaos, but only in respect of Saturday nights. At all conventional times Kaos bar is the only premises authorised to continue the sale of alcohol after 4am.

There is a much larger capacity venue next door which has a terminal hour for alcohol Sun- Fri 4 am but has a closing time of 5 am and on Saturday the alcohol permission extends to 5 am with a closing time of 6 am (30 minutes later than Kaos)

In 2021 this neighbouring premises was issued 4 x Temporary Event Notices for later hours and in 2022 a further 4 TENs were issued.

7.3 Mr. Petrak goes on to these 5 examples where he has obtained CCTV footage and listed the dates which are copied below

26th September 2021 – 5.09am male physically moved away from area in front of Kaos by door security. Male eventually arrested by Police officers attending. Stills A-E refer.

2nd October 2021 – 2.54:57am male ejected from Kaos by security staff. Male makes off East along Queen Street chased by 2 door security personnel. Female observed leaving Kaos just behind security. Female then attempts to cause damage to front of venue by pulling flag down. Initially prevented from doing so before succeeding at the second attempt. Female then detained by door security. Male who ran off returns to scene before eventually being detained by security then dealt with by Police. Stills F-O refer.

9th October 2021 – 5.41am female wearing jacket with "Security" written on the back causing disorder in the vicinity of Queen Street and Dickson Road close to Kaos bar. Incident occurred on a Saturday morning. At the date and time of this incident Kaos bar was the only premises licensed to serve alcohol after 4am. Stills P-U refer.

22nd January 2022 – 3.54am unprovoked assault occurring right outside door of Kaos in front of security personnel. Stills V-Y refer.

23rd January 2022 – 5.44am fight between 2 males breaking out within external area at Kaos bar. Stills Z-AC refer.

No explanation can be offered for the first 3 on the list above. In Appendix 6a the police incidents have been listed, and where possible explanations with supporting documentation have been provided but between September 2021 and December 2022 the LH had a security company that had let him down on several occasions. One of their omissions was poor record keeping. For the final 2 incidents, the LH does have further details and they are listed in Appendix 6a.

Section 8 Response to Environmental Protection Representation

8.1 Kaos has a modest capacity of well under 500 people (possibly no more than 250 would be permitted given the floor space and exit widths) so would therefore fall under the category of premises that enjoy exemptions relating to the relaxation of noise conditions attached to the premises licence. In chapter 16 of the Sec 182 Guidance, there are numerous paragraphs that relate to the enforceability of noise conditions attached to a licence between 08.00hrs and 23.00. where the audience number is less than 500.

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

- 8.2 The Representation submitted by Environmental Protection points toward potential breaches of the licence. The only reference to the time of the visit is contained in the police representations as being 22.45hrs (pg. 8 para 9 of the Police Review). The EP Representation is silent in relation to the time of the visit but in this case, it is one of the most important points to prove if they are to allege a breach of condition.
- 8.3 Whilst the LH is not seeking to avoid his general duties to prevent public nuisance the evidence adduced by Environmental Protection that there were breaches of the Licence disclosed on the 14th of April 2022 will turn on whether the time of the visit was pre-23.00hrs or post 23.00hrs. This important fact is missing from their representation.
- 8.4 The premises have been fitted with a noise-limiting device for many years as well as other sound protection controls such as an acoustic lobby. It is also noteworthy that following the visit on the 15th of April 2022 no further complaints have been received by Environmental Protection regarding noise from entertainment.
- 8.5 The next issue raised in the representation is a temporary generator, this was deployed to get over an electrical repair that was required in the cellar, the generator was turned off at 10 pm to minimise disruption to residents, and the electrical repair was carried out as soon as practicable.
- 8.6 Condition 34 on the licence is raised and the circumstances of the generator are presumably raised as evidence of a potential breach of the licence. It is highly likely that this condition is not lawful and therefore not enforceable following the decision in ***Bristol Council, R (on the application of) v Bristol Magistrates Court 2009***. The full decision can be read at

<https://www.casemine.com/judgement/uk/5a8ff74e60d03e7f57eab12b>.

The list of conditions that were being challenged is shown at the top of page 20 of this submission, condition (i) is almost identical to condition 34 quoted by EP.

Condition highlighted by EP;

Noise from any Regulated Entertainment, Mechanical Ventilation or Refrigeration Plant shall be inaudible within the nearest sensitive properties or, at the discretion of the Local Authority, shall not exceed some other pre-agreed limit, which does not cause unreasonable disturbance to the residents of these properties or their guests.

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

6. The conditions removed by the Magistrates' Court were as follows:

"(i) Noise from ventilation, refrigeration or air conditioning plant or equipment shall not cause nuisance to the occupants of any properties in the vicinity.

(ii) All gangways, passages, staircases and exit ways shall at all times be kept entirely free from chairs or any other obstructions and from any article or substance which may cause a person to slip, trip or fall.

(iii) Floor coverings shall be secured so as not to ruck up or cause obstruction. Mats more than 1 cm thick shall be sunk to floor level unless of rubber with wide bevelled edges.

(iv) The floors of all gangways, lobbies, corridors, passages and other exit routes and the tread of all steps and stairways shall be non-slippery and flat. The nosings of the treads with steps, changes of level and stairways shall be of a contrasting colour to the remainder of the tread. The nosings shall show up clearly under emergency lighting conditions.

(v) No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause nuisance."

8.7 A Licensing Authority cannot be expected to remove outdated conditions from all licences as regulations, case law or technology renders them void. The task would be constant and never-ending. Conditions on many licences reflect the issues being experienced at the time of the grant of the licence and many of those circumstances will change over time.

8.8 It would be difficult to establish how the deployment of plant or machinery to operate business premises can be clearly linked to any of the Licensable Activities, for example, if the premises was a bakery and needed a backup power generator they would not breach of any condition of a licence as a licence would not be required to bake bread.

8.9 This is in essence what the Sommerfield case determines, where there are existing statutory controls in place a licence condition should not be added as means of strengthening primary legislation (often referred to as gold plating)

Extracts from Chapter 16 of the Section 182 Guidance

Licence conditions

Live Music or recorded music

16.36 *Any existing licence conditions⁶⁴ (or conditions added on a determination of an application for a premises licence or club premises certificate⁶⁵) which relate to live music or recorded music remain in place, but are **suspended** between the hours of 08.00 and 23.00 on the same day where the following conditions are met:*

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

- *at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;*
- *if the music is amplified, it takes place before an audience of no more than 500 people; and*
- *the music takes place between 08.00 and 23.00 on the same day.*

16.37 *Whether a licence condition relates to live or recorded music will be a matter of fact in each case. In some instances, it will be obvious that a condition relates to music and will*

be suspended, for example “during performances of live music all doors and windows must remain closed”. In other instances, it might not be so obvious: for example, a condition stating “during performances of regulated entertainment all doors and windows must remain closed” would be suspended insofar as it relates to music between 08.00 and 23.00 on the same day to an audience of up to 500, but the condition would continue to apply if there was regulated entertainment after 23.00.

16.38 *More general licence conditions (e.g. those relating to overall management of potential*

noise nuisance) that are not specifically related to the provision of entertainment (e.g. signage asking patrons to leave quietly) will continue to have effect.

16.39 *Chapter 9 of this Guidance sets out how a licensing authority must determine applications for a new licence or to vary an existing premises licence. Licence conditions imposed, in accordance with paragraphs 9.41 to 9.43, for live or recorded music activities will only apply if the activity meets the criteria of having more than 500 people present, and/or the activities are taking place between 23.00 and 08.00.*

16.40 *These conditions will, in effect, be suspended between 08.00 and 23.00 if a performance of live music or the playing of recorded music takes place before an*

audience of 500 people or fewer, but will remain on the face of the licence for when these activities may take place under other circumstances.

16.41 *Where a performance of live music or the playing of recorded music on relevant*

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

licensed premises is not licensable; it remains possible for anyone to apply for a review

of a licence or certificate, if there are appropriate grounds to do so.⁶⁶

8.6 There are 7 residential flats above Kaos, the LH enjoys a good relationship with them all and has received no complaints. 2 of the residents were happy to be named and quoted as reporting no concerns they are.

1. David Hart who resides in flat 7 and
2. Sarah Beach who resides in flat 2 directly above the premises

Section 9 Response to Interested Parties

9.1 There are 3 public objections and understandably none highlight any specific dates within their representations. The LH has done his utmost to respond to the specific incidents of crime listed by the police.

9.2 Mr Chalmers highlights the incident with the car crashing through the door where a full explanation has been given by the LH it was clearly an exceptional incident that has stood out in a great number of people's minds. The LH maintains it was unforeseeable, the premises did nothing to provoke it or contribute to it, and it came about simply for trying to maintain a level of control within the premises but resulted in an outrageous reaction. They cooperated fully with the police enquiry and evidence provided by the club helped to secure the conviction of a dangerous individual.

9.3 Mr Petrak in his representation refers to the area being subject to a cumulative impact policy and the area should remain that way. The LH agrees entirely. There will be incidents at Kaos but it also occupies a highly visible position on the corner of Queen Street and Dickson Road and from the explanations and supporting documentation it has become clear that whilst some incidents may be attributed to Kaos they are not always responsible. The incident on the 23rd of January 2022 where a male was banging aggressively on the window of the premises when it was closed is a relevant example. This led to the windows being smashed but what had the club done to provoke such an attack apart from being situated where it is which is the centre of one of the most difficult areas of town? A resident being disturbed by such behaviour would rightly draw a conclusion that the incident was directly attributed to the club. The LH maintains there was nothing they did to warrant such behaviour from this individual. Mr Petrak also provides CCTV still of this incident. The involvement of the club regarding this was to apprehend the offender. There may be considerable difference of opinion on the methods deployed by the bar staff, but in his mind, he felt the premises was under attack and was defending people and property in the club. The reality is people in an intoxicated state at 05.45hrs in the morning banging aggressively on a window are not likely to be easy to negotiate with.

9.4 The views of the residents are important and would never be dismissed as not being so, but the committee must deal with facts supported by evidence that is to a high enough standard to withstand scrutiny.

Section 10. Conclusion

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

10.1 Section 182 Guidance provides a stark illustration of cumulative impact, paragraphs 14.21-14.23 are shown below;

14.21 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

14.22 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

14.23 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the impact of customers of individual premises. These conditions are more likely to arise in town and city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.

10.2 There is an element of Kaos becoming a familiar incident location for the disorder but there are many occasions where this has come about because the premises are refusing entry. To repeat earlier comments the type of customers in this area late at night can be extreme. The most difficult to deal with, the most intoxicated, and the most violent.

10.3 Up until the current Police incumbent the LH had an excellent relationship with the Licensing Sergeant and would sit down each month and have a one to one going through each incident in turn and provide an explanation with supporting incident logs at the premises, working with the police tweaking the method of operation where necessary.

10.4 He has managed the premises for 7 years and for at least 6 of those years managed it to the satisfaction of the police. The police are realistic and understand that incidents will happen at Licensed Premises, however, fault lines usually occur when the response from the premises is inadequate. Everyone will have a subjective view of what is reasonable and professional in terms of a premises response. But being fair is essential when applying that subjective view.

10.6 There are certain incidents listed by the police that have been unfairly attributed to the premises, 2 that come to mind are the two 17-year-old girls and the incident with the car. It is likely when all the logs are examined that many further examples will come to light which will demonstrate the premise's response was reasonable.

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

10.6 Given the explanation by the LH on these incidents, if the premises enjoyed the type of relationship, they had with the police in years gone by surely this would have been written off as a reasonable response.

10.7 The police list convictions, spent convictions, and ongoing investigations within their conclusion. This practice also occurred in the Trades Hotel review and is a breach of the General Data Protection Regulations. Again, there is a difference of opinion on the legitimate use of this information. A complaint has now been lodged with the Information Commissioner's Office.

10.8 The Police conclude their application by declaring 'no confidence' in the LH and revocation is the only option. The Section 182 Guidance advises the following

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, 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 and for the prevention of illegal working in licensed premises. 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.

10.9 The area highlighted in yellow is what the committee's mind should focus on. Have the premises been trading irresponsibly?

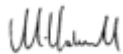
10.10 An irresponsible premises would not have been able to provide the level of detail and explanation to the incidents listed by the police as this LH does

10.11 He has a long list of occasions when he has provided CCTV to the police to support them in their efforts to detect crime

10.12 He is committed to an expensive security contract with a reputable provider

Written Submission – Kaos, 38-42 Queen Street, Blackpool FY1 2AY

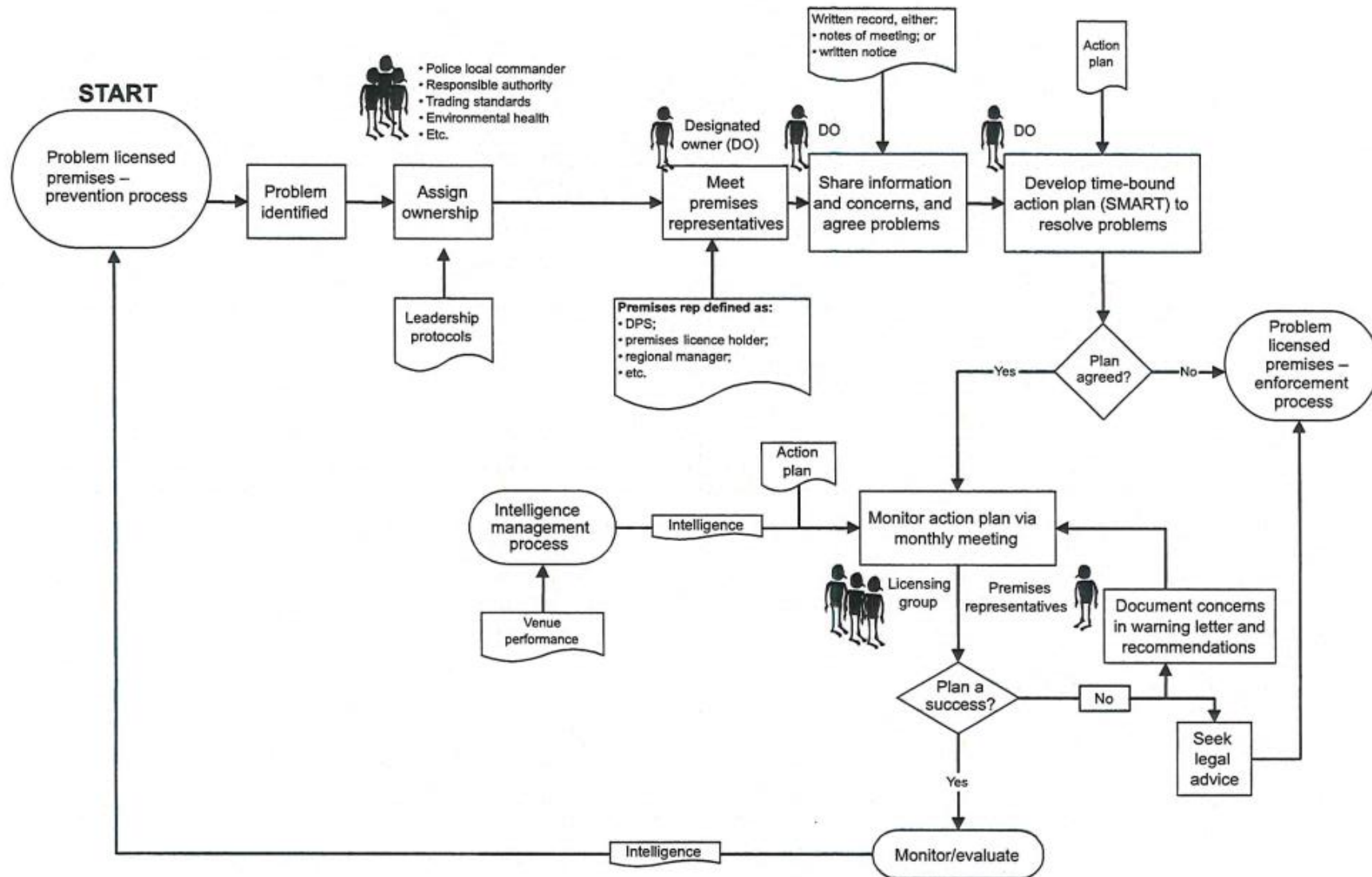
- 10.13 He worked very successfully with the police for many years and always followed recommendations. See **Appendix 10a**
- 10.14 Most of his bar staff are Personal Licence Holders
- 10.15 Where has it gone wrong? Some of the requests made by the police in their action plan detailed in Section 1 were simply unrealistic such as closing the premises at 2 am. The premise's peak time for a business opportunity is between 3 am and 5 am. He would have been out of business in 1 month. The late evidence served by the police at 17.09hrs on the 18th of October 2022 demonstrates that there has been increased vigilance on the premises since the beginning of the year, this will increase the log numbers, will encourage Officers to provide feedback on incidents they attend in the area. This is inevitably what happens when a premises is put under the microscope.
- 10.16 Removing Kaos also removes at least 3 door staff from a 'stress area' who are employed at the premises and what will become of the Kaos customers? Go home or move somewhere else? The area is problematic due to the cumulative effect of all the premises, if it wasn't there would be no need for a CIP (Cumulative Impact Policy)
- 10.17 The Licence Holder believes he understands the area in which he trades and does everything he can to meet the challenges, he is an experienced individual and is ready to accept suggestions to improve things where they are achievable.



Mark Marshall (FCILEX)

Date: 20th October 2022

Problem licensed premises – prevention process



PROBLEM LICENSED PREMISES PREVENTION PROCESS

The problem is identified from intelligence passed to the CDRP / CSP and or enforcement group.

The enforcement group, through established protocols, ask for a lead to take it on who then plans a joint response.

A meeting is held with appropriate staff and managers of the premises and the problems discussed.

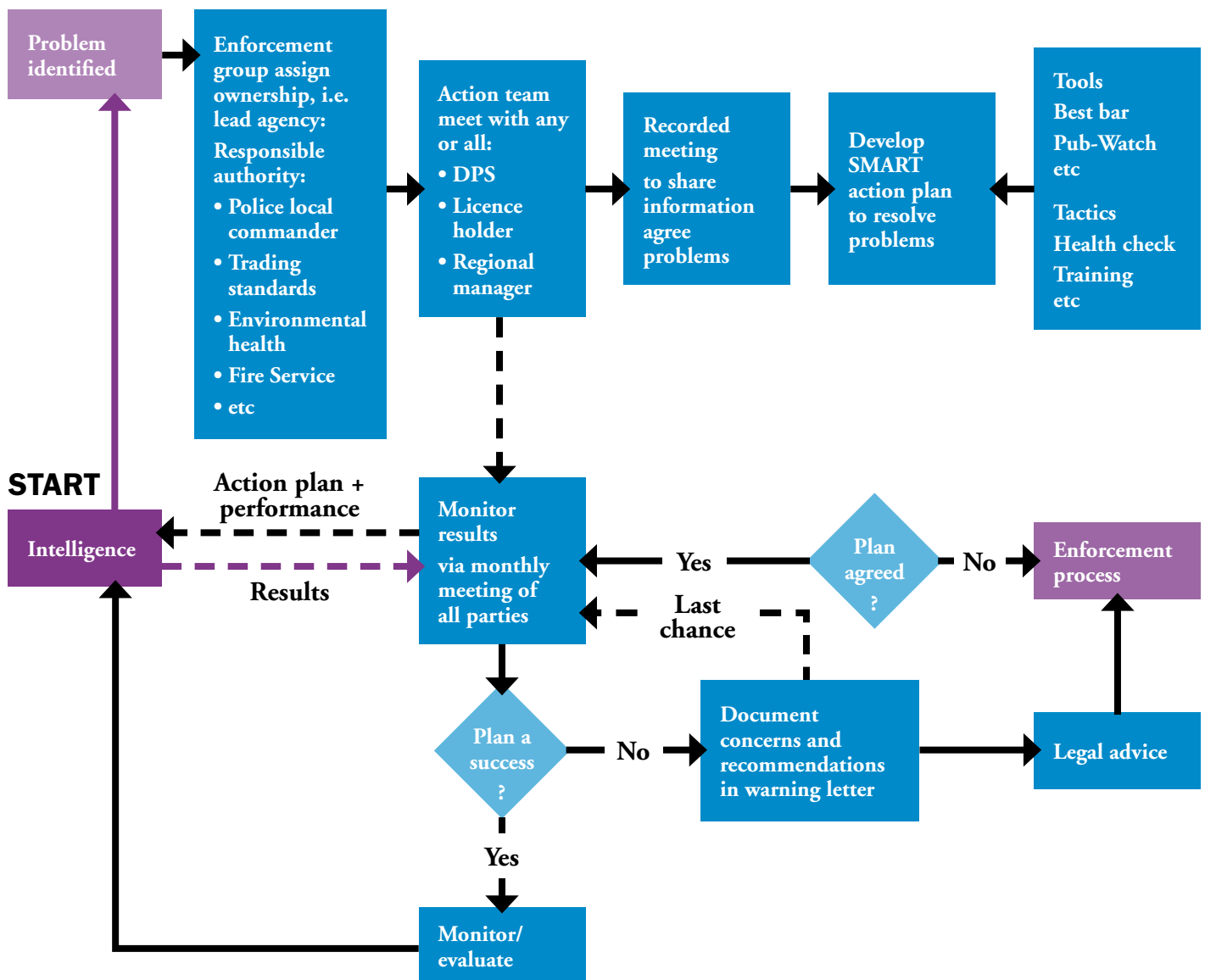
A SMART action plan to put them right using various tools and tactics is agreed and this is monitored and tweaked by a group meeting on a monthly basis, the documented results being passed each month to the intelligence group for evaluation against the action plan.

If successful then the process may be evaluated for future use in similar cases. Meanwhile monitoring is reduced to a casual basis.

If the plan is not working after an agreed time then the remaining concerns with recommendations and a time limit should be documented in a final warning letter.

After this last chance or if the premises fail to follow or make the effort or will not agree to a plan in the first place then, subject to any legal advice, the appropriate enforcement process is applied.

PROBLEM LICENSED PREMISES PREVENTION PROCESS ROUTE MAP



Data Protection Office

Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB

Tel: 01772 413203 / 412144

Email: FOI@lancashire.police.uk



Mark Marshall
Sent via email

Date: 14th October 2022

Dear Mark Marshall

FREEDOM OF INFORMATION APPLICATION REFERENCE NO: DPO/FOI/003055/22

Thank you for your request for information received by Lancashire Constabulary on 25/09/2022 which was as follows:

Between the 1st August 2021 and 31st August 2022 how many Fixed Penalties have been issued to individuals for serving alcohol to a person who is drunk contrary to Section 141 of the Licensing Act 2003

Between the 1st August 2021 and 31st August 2022, how many summons have been issued for the same offence (Section 141 of the Licensing Act 2003)

Between the 1st August 2021 and 31st August 2022 how many Fixed Penalties have been issued to individuals for obtaining alcohol for a person who is drunk contrary to Section 142 of the Licensing Act 2003

Between the 1st August 2021 and 31st August 2022, how many summons have been issued for the same offence (Section 142 of the Licensing Act 2003)

I have copied the relevant parts of the Licensing Act 2003 below for your assistance

I would be grateful if you could search the data held for the whole of Lancashire and should any such search reveal that data is held I would be grateful if you could indicate the postcode or incident location that was applicable to the individual offence

141 Sale of alcohol to a person who is drunk

(1) A person to whom subsection (2) applies commits an offence if, on relevant premises, he knowingly—

(a) sells or attempts to sell alcohol to a person who is drunk, or

(b) allows alcohol to be sold to such a person.

(2) This subsection applies—

(a) to any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to sell the alcohol concerned,

(b) in the case of licensed premises, to—

(i) the holder of a premises licence in respect of the premises, and

(ii) the designated premises supervisor (if any) under such a licence,

(c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who at the time the sale (or attempted sale) takes place is present on the premises in a capacity which enables him to prevent it, and
(d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.

(3) This section applies in relation to the supply of alcohol by or on behalf of a club to or to the order of a member of the club as it applies in relation to the sale of alcohol.

(4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

142Obtaining alcohol for a person who is drunk

(1)A person commits an offence if, on relevant premises, he knowingly obtains or attempts to obtain alcohol for consumption on those premises by a person who is drunk.

(2)A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of the FOIA requires that we provide the applicant with a notice which: a) states that fact; b) specifies the exemptions in question and c) state (if that would not otherwise be apparent) why the exemption(s) applies.

Your request has now been considered and our response is provided below: -

Lancashire Constabulary introduced a new investigation recording system on 27th November 2018. Data input into the system by officers and staff is currently subject of a quality assurance process, however there is presently a delay between data input and data verification. As such recent case information extracted from the system in response to FOI requests may not have undergone the full verification process and may therefore be subject to future change.

Searches have been completed in the Criminal Justice department on the fixed penalty recording system and also on the Connect recording system using the following criteria: -

- Between the dates 01/08/2021 and 31/08/2022
- For the offence wording
 - Worker knowingly attempt to sell alcohol to drunk on relevant premises
 - Worker knowingly sell alcohol to drunk on licensed premises
 - Obtain alcohol for a drunk on relevant premises (a PND cannot be issued for this offence)

The Lancashire Constabulary have completed the above searches for the information you have requested and found no records.

Lancashire Constabulary does not hold any information pertinent to your request.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request an internal review of our decision, you should write to the Data Protection Officer, Data Protection Office, Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB or alternatively send an email to FOI@lancashire.police.uk. Details of the Constabulary's Freedom of Information Complaint Procedures can be found attached to this email.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by Lancashire Constabulary. The Information Commissioner can be contacted via the following link:

<https://ico.org.uk/global/contact-us/> or by telephone on 0303 123 1113.

Yours sincerely

Information Access Team

Data Protection Office



Home Office

Kit Malthouse MP
Minister of State for Crime and
Policing

2 Marsham Street
London SW1P 4DF

www.gov.uk/home-office

BY EMAIL ONLY

Chairs of Licensing Committees

08 April 2020

Dear Councillor

The coronavirus outbreak is causing enormous disruption to all businesses, public services and to individuals across our nation. Local authorities are playing a key role in our response and are under significant pressure. I therefore think it timely to write to you to set out some key areas where licensing authorities may wish to consider a pragmatic and more flexible approach during this outbreak, while ensuring the licensing objectives are safe-guarded.

I appreciate that licensing teams, as well as other local authority services, may now be subject to redeployment or operating with a reduced staff. I would like to express my gratitude to those staff and councillors who are ensuring that the licensing system continues to operate.

The regulations do allow for many hearings to be deferred during the period of social distancing. However, my view is that hearings should proceed, wherever possible. As you may be aware, the Coronavirus Act 2020 provides express provision for remote licensing hearings to take place. Regulations commencing those provisions were published last week.

Local authorities have discretion when considering non-payment or late payment of an annual premises licence fee or a late-night levy charge. While section 55A of the Licensing Act 2003 requires that the licence be suspended, it is possible to delay when that suspension takes effect. Where businesses are experiencing difficulties, I would expect them to make their licensing authority aware. The authority should consider delaying any suspension of the licence where the delay in payment or non-payment is related to COVID-19.

Those premises that remain open during the outbreak may well have key personnel who are self-isolating in line with Government guidance or unwell. It is important that matters such as varying the premises designated premises supervisor are dealt with as promptly as possible.

Retailers may be operating under licences with conditions that may prove difficult to comply with in the current period due to absenteeism. These include, but are not limited to, conditions that mandate the minimum number of staff or door supervisors on site, training

requirements or attending external meetings (such as Shopwatch). A considered and pragmatic approach should be taken to breaches of licence conditions and procedural defects caused by the COVID-19 pandemic, particularly where these breaches or defects do not have a significant adverse impact on the licensing objectives. Licence holders must rectify any breaches as soon as reasonably practicable.

Some licensed premises have restrictions on deliveries as a licence condition. Where this is so, I would urge licensing authorities to follow the wider advice and derogations set out by the Department for Business, Energy and Industrial Strategy. Allowing deliveries outside normal delivery times will be essential in some stores in ensuring adequate supply.

During the current period it may not be possible for applications to be advertised in local newspapers. The regulations provide for flexibility in such cases to advertise in a local newsletter, circular or similar document. I recommend that authorities make applicants aware of this. Authorities should also consider advertising all applications on local authority websites. With blue notices less likely to be seen, authorities should, at a minimum, inform local ward councillors and, where established, local resident groups of all applications relating to premises in their vicinity (for example by email) so they are made aware of relevant applications and are able to make representations in response during the consultation period if they so wish.

These are extremely challenging times. With the right spirit of collaboration, communication and pragmatism, I believe that we can get through them with minimum damage to businesses and to the licensing objectives.

A handwritten signature in blue ink, appearing to read 'Kit Malthouse', with a long horizontal flourish extending to the right.

KIT MALTHOUSE MP
Minister of State for Crime and Policing

Good morning everyone hope you are all OK!

So the last few nights we have been patrolling around the town and outside areas.

Wow!!!

This may hurt a few people but i am going to say it anyway.

There are too many people in the wrong part of the industry, and I mean that in a professional manner.

People are been put on doors and other venues who are a massive safety risk to themselves and others.

The calibre of people that come through my doors to train to be become a ds is scary and the last few nights proved that.

There are too many people coming through the system who think, OK this is a given job some good hours I will do that.

Some people last night were sending messages to TV asking for assistance for the most ridiculous things.

(Not mentioning on here)

You have no idea what is going to be in front of you and trust me reality will hit.

Training is simulated, the practicals cannot be put to you to show people how things really happen.

Which again is unsafe and somewhat cringy to say the least.

The sia need this package that we are going to throw at them and really take note, that if this is not implemented then someone is going to get seriously hurt or even die!

I was talking with Dean Martyn Finegan last night and one of his lads rocked up with his face smashed in.

(Jack was Ugly anyway 🤡)

But yeah I will be honest the police do not do enough.

And when they come it results in them trying to quiz the DS to see if excessive force was used !

I cannot believe tango Victor is voluntary and is a third party ! wow what a fucking joke having soron from lord of the rings watch over us.

This needs a massive shake up through out and I am going to make it my goal to implement changes and really get the better quality of staff trained and coming into the teams with an idea and aware of the dangers.

I will be doing a live tomorrow about the current situation and what we can do to change it.

	Document Reference	Police Narrative	LH Comments
1	Police Review Pg 5	In January 2022 a customer inside Kaos injured himself accidentally with a glass during an altercation. Another glass related incident happened in April 2022.	SD is known to staff as regular customer further detail to follow.
2	Police Review Pg 5	In May 2022, the manager of the premises called Police to report a fight within the venue. He was not present himself and there were no door staff on duty. On Police arrival it transpired a fight had taken place within and a male had sustained an injury on a glass.	Refused service
2	Police Review Pg 5	On numerous occasions where the offender for an assault within or linked to Kaos has been identified to the licence holder, they have failed to apply for a pubwatch ban. The lack of a pubwatch ban means that these dangerous individuals are still allowed to drink at licensed premises within the area. This has a direct result on the safety of the public within this and other bars in Blackpool.	NC has had personal threats from an individual called LS. This individual was a former employee and has made numerous vexatious complaints and is generally intimidating. NC must walk between the hotel and the club late at night and is very concerned for his safety. Local information is that a large Company banned an individual and then suffered extensive criminal damage at all their venues until FK paid the offender off. Informal advice from the police has been given not to put a ban on LS
4	Police Review Pg 5	On 20 th May 2022 at around 0519 hours, Police were called to the report of a fight within the venue. On arrival it transpired that two females had been removed from the venue by door staff due to being extremely drunk. One of these females was a 17-year-old girl.	Full details to follow
5	Police Review Pg 6	On 10 th August 2021 at 0245 hours several logs were received by Police relating to a large brawl outside	The offender in this case was a career criminal and was not known to the premises and resided at the

		Kaos where a car was driven at the premises. Two arrests were made (LC-20210810-0130)	time in Scotland. He entered the premises with a former employee so wasn't deemed a risk. He was ejected following a homophobic comment to one of the performers. He phoned a member of door staff threatening to kill him, this call was recorded and later used in the trial. Approximately 20 minutes had lapsed before the vehicle pulled up outside the premises. Customers and door staff barricaded themselves in the premises and the offender rammed the front doors. CCTV of the incident is still available, and this version of events can be verified. The offender was later charged with 4 offences and evidence obtained from the door staffs phone recording was used as part of the trial evidence.
6	Police Review Pg 6 Police Review Pg 6	On Tuesday 21 st September 2021 at 0250 hours Police were called to a report of a male knocked unconscious outside Kaos. Two arrests were made. (LC-20210921-0108) Later that morning, at 0422 hours another male was knocked unconscious outside Kaos and a further two arrests were made. (LC-20210921-0134)	No records are available. At the time of this incident, a Security firm called Constantine Security was engaged in the service. They started security for the club about 1 month before this incident and it was later discovered that their incident reporting management system was poor.
7	Police Review Pg 6	On Tuesday 28 th September 2021 at 0455 hours numerous complaints were made from customers alleging excessive use of force by door staff at Kaos. (LC-20210928-0181)	No records are available (Constantine still on the door)
8	Police Review Pg 6	On Saturday 9 th October 2021 at 0545 hours Police were called to a large disturbance outside Kaos. (LC-20211009-0369)	No records are available (Constantine still on the door)

9	Police Review Pg 6	On Thursday 14 th October 2021 at 0226 hours Police were called to the report of a male knocked unconscious outside Kaos. (LC-20211014-0109)	No records are available (Constantine still on the door)
10	Police Review Pg 6	On Sunday 24 th October 2021 at 0302 hours Police observed two customers to exit Kaos and start fighting directly outside the venue. On seeing Police, one of those involved was allowed back inside the club and the other left the area. (LC-20211024-0225)	No records are available (Constantine still on the door)
11	Police Review Pg 6	On Monday 25 th October at 0101 hours Police were called by a customer of Kaos stating he had been assaulted by door staff at the venue. (LC-20211025-0059)	No records are available (Constantine still on the door)
12	Police Review Pg 6	On Friday 29 th October 2021 at 0331 hours a member of door staff at Kaos was attacked by a male with a knife. This male had been ejected from the club 10 minutes earlier. He was arrested. (LC-20211029-0129)	This male was not a customer, he was refused entry at the door. Shaun Mchale recalls the male walking up from lower Queen Street wearing unsuitable clothing to gain entry which subsequently led to his refused entry. CCTV was produced for the police The version of events differs from the Police narrative.
13	Police Review Pg 6	On Thursday 4 th November at 0221 hours a member of the public reported to Police that he had been assaulted by door staff at Kaos. (LC-20211104-0078)	
14	Police Review Pg 6	On Friday 19 th November 2021 at 2316 hours when the premises were checked by Police Officers, they were found in breach of their licensing conditions. The condition states that they must have 2 SIA door supervisors on duty at the entrance every Friday,	A licensed door supervisor will be on duty from 20.00 until the premises closes. On Friday, Saturday and Monday evenings there will be a total of 2 supervisors on duty at the entrance, one starting at 20.00 and the second starting at 22.00, with a third

		Saturday and Monday. On Police arrival, there were no door supervisors on the door, although one was located within the venue. He was the only door supervisor on duty.	door supervisor employed from midnight to monitor inside the venue The Security provider was dismissed shortly after this incident
15	Police Review Pg 7	On Sunday 28 th November at 0558 hours Police watching Kaos reported numerous extremely drunk people leaving the premises and causing issues. One female was arrested. (LC-20211128-0327)	Allegation denied. The premises stop serving alcohol at 05.00 am and have a closing time of 05.30.
16	Police Review Pg 7	On Monday 29 th November 2021, Police Licensing Sergeant Nat Cox and Council Licensing Manager Lee Petrak met with the licence holder at Kaos. Following the meeting, a warning letter was issued to the licence holder from Police and Council advising him that any further breaches could result in prosecution or review of the licence.	Following this meeting, Constantine Security were dismissed
17	Police Review Pg 7	On Sunday 9 th January 2022 a drunk male outside the door of Kaos had his wallet stolen while unconscious on the floor. This happened in front of door staff for Kaos, who failed to intervene, report the matter to Police or provide any assistance	Incident report attached
18	Police Review Pg 7	On Saturday 15 th January 2022 at 1549 hours, Police were called to Kaos by North West Ambulance Service (NWAS) reporting that they were attending a suspect glassing. On arrival, it transpired that a dispute between two customers had led to one of them smashing a glass on the counter, injuring himself. (LC-20220115-0908)	The circumstances of the incident are detailed below First Aid was administered by Sharon Reece, the incident was unforeseeable and glass wear during the daytime hours is commonplace across the town. If restrictions are imposed, they usually apply to higher risk times such as beyond midnight

19	Police Review Pg 7	This incident followed a warning to Kaos from PC Pritchard of the Police Licensing team on Friday 6 th March 2020 about the use of glass within the venue, after a glass-related assault in February 2020.	<p>Almost 2 years had lapsed since this warning, this was a self-inflicted injury that occurred in the afternoon. Following the letter from PC Pritchard, e-mails were exchanged between LH and EP where the LH committed to removing glass at night. PC Pritchard suggested midnight as an appropriate time. LH removes glass at midnight on busy nights but as a rule of thumb, the glass wear is removed from the floor at 2 am making the premises glass free from 3 am.</p> <p>Even if midnight had been adopted it would not have helped with this incident which was 15.49hrs.</p> <p>The individual is known to the premises, it was a self-inflicted injury through stupidity. (Recklessness)</p> <p>A male was arrested but quickly released after the police had viewed CCTV and agreed that it was entirely the injured person's fault</p> <p>To use the words that the incident followed a warning when the warning occurred almost 2 years earlier is an exaggeration.</p>
20	Police Review Pg 7	On Thursday 20 th January 2022 at 0511 hours Police were called to the report of a fight at the door of Kaos. The informant, who was a door supervisor reported that an unlicensed door supervisor was on duty at Kaos and needed assistance. On Police arrival, one male was arrested and the report about	Police attended on the evening, all door staff were checked N.O.D (No Offences disclosed) suggesting this was a malicious or vexatious complaint to the police by LS

		<p>unlicensed door staff couldn't be verified. (LC-20220120-0173)</p>	
<p>21</p>	<p>Police Review Pg 7</p>	<p>On Saturday 22nd January 2022 an assault took place directly in front of the door of Kaos. Again, door staff stood and watched, making no attempt to prevent the offence or report the matter to Police</p>	<p><i>Manned guarding</i></p> <p><i>2(1)This paragraph applies (subject to the following provisions of this paragraph) to any of the following activities—</i></p> <p><i>(a)guarding premises against unauthorised access or occupation, against outbreaks of disorder or against damage;</i></p> <p><i>(b)guarding property against destruction or damage, against being stolen or against being otherwise dishonestly taken or obtained;</i></p> <p><i>(c)guarding one or more individuals against assault or against injuries that might be suffered in consequence of the unlawful conduct of others.</i></p> <p><i>(2)In this paragraph references to guarding premises against unauthorised access include references to being wholly or partly responsible for determining the suitability for admission to the premises of persons applying for admission.</i></p> <p><i>(3)In this paragraph references to guarding against something happening include references to so</i></p>

			<p><i>providing a physical presence, or carrying out any form of patrol or surveillance, as—</i></p> <p><i>(a) to deter or otherwise discourage it from happening; or</i></p> <p><i>(b) to provide information, if it happens, about what has happened.</i></p> <p>The incident occurred in the middle of the Street, and they had not been on the premises. The DS on duty had been admonished by a police officer the week before for assisting in a matter at the taxi rank across the road.</p> <p>Hawley v Luminar Leisure is a relevant precedent. On the night in question, the DS made a conscious decision not to leave the door and told the Officer attending his reasons (the previous week's warning) DS details have been identified as SW</p>
22	Police Review Pg 7	On Sunday 23 rd January 2022 at 0545 hours a window at the front of Kaos was damaged by a customer. Door staff detained this customer outside the venue and the customer sustained a broken nose and eye socket during the incident. While some of his injuries were caused by door staff, a member of staff could be seen exiting Kaos before launching a flying	The premises was closed at the time. The offender was banging hard on the window for approximately 2 minutes. The window was subsequently broken by the offender. CCTV of the incident has been viewed and male A does leave the premises at speed and performs a low-level kick to the legs of the offender which takes him to the floor. He was then assisted in

		<p>kick at the customer and punching him repeatedly. This member of staff has since been identified as a male who previously possessed an SIA licence, but it was revoked following his arrest for GBH. This individual will be referred to as male A within this document. (LC-20220123-0390)</p>	<p>detaining the offender by a member of the door staff who goes beyond what could be deemed as reasonable force and kicked the offender whilst he is on the floor. This led to the revocation of the door staff's badge.</p> <p>The LH version of events is that the police attending on the night were not overly alarmed by male A's behaviour but did take issue with the SIA DS</p>
23	Police Review Pg 7	<p>On Saturday 5th February 2022 at 0343 hours, CCTV identified a large fight outside Kaos. On Police arrival it transpired that 5 door supervisors had been chasing a male who had then armed himself with a metal pole. (LC-20220205-0245)</p>	<p>3 door staff were on duty at the premises this evening, this has been verified by the security provider who has provided their details as TJ, D Buchanan, and Martin Chapman. 5 door staff were not on duty at this time.</p> <p>Further details are provided in the incident report. Reports from the LH suggest that the incident terminated in the Flying handbag resulting in a male being assaulted</p>
24	Police Review Pg 7	<p>Again, at 0521 hours, CCTV identified a large fight outside the door of Kaos. On Police arrival all parties were dispersed. (LC-20220205-0295)</p>	<p>No details available</p>
25	Police Review Pg 7	<p>On Wednesday 9th February PC Pritchard from the Police licensing team spoke to the premises licence holder having viewed the CCTV of the incident on the 23rd January 2022. The premises licence holder informed PC Pritchard that they had given male A a second chance following the revocation of his door badge. The licence holder informed PC Pritchard that he had discussed the matter with his manager, and they had decided to sack male A as they felt he was "TOO MUCH OF A RISK."</p>	<p>LH claims that their intention was to speak with male A rather than sack him, he believes this may be a misunderstanding. Sharon Reece spoke with male A formally regarding his conduct and detailed the need for improvement. Sharon reported an immediate improvement in his conduct, and it was her intention to closely monitor his behaviour rather than sack him. LH recollection was that he asked PC Pritchard's advice rather than deciding to sack male A. There is a certain amount of ambiguity following this incident as it was the SIA DS that faced formal action not male A</p>

26	Police Review Pg 8	On Monday 21 st February 2022 PC Pritchard and PC Harrison from the Police licensing team met with the premises licence holder and his manager. The purpose of the meeting was to discuss the number of incidents recorded at Kaos over the previous months and to ensure the licence holder was aware of his responsibilities under the Licensing Act.	LH discussed his working hours which are mainly at the hotel but arrives at the club at 2.00 am. he is always on hand as the club is 5 minute walk from the club. He confirmed the implementation of plastic glasses which had occurred following the first lockdown (4 th July 2020)
27	Police Review Pg 8	On Friday 25 th February 2022 at 0431 hours, Police were called by staff at Kaos reporting a large fight involving customers throwing chairs around the venue and door staff unable to cope. On Police arrival, it transpired that an ex-employee had been allowed entry to the bar and was causing issues within the venue. (LC-20220225-0148)	Incident report on file Mentions glass on the incident report at 04.30 hrs. the LH has been quizzed on how this could be the case as they have indicated they are glass free from 03.00hrs. He investigated the matter at the time and the offender reached over the bar and grabbed a glass from the shelf. Whilst glass isn't mentioned in the police narrative it has been decided that transparency and explanation is the conduct of a LH who behaves responsibly.
28	Police Review Pg 8	On Wednesday 2 nd March 2022 at 0518 hours Police were called to Kaos to report of a double stabbing. On arrival, it transpired an assault had taken place but thankfully no one had been stabbed. One arrest was made (LC-20220302-0157)	The incident was reported to door staff by members of the public who simply relayed the information to the police Incident report on file
29	Police Review Pg 8	On Friday 18 th March 2022 at 0514 hours a complaint was made to Police about racist language used towards a customer by door staff at Kaos. (LC-20220318-0159)	Door staff on duty currently were TJ (Head Doorman Afro Caribbean male), J Wain, and D Buchanan. It is unlikely that DS would use racist language when their supervisor who is Black is stood with them
30	Police Review Pg 8	On Saturday 26 th March at 0010 hours Kaos were visited by PC Pritchard and Sgt Cox. Only 2 door staff were on duty, which was a breach of their licence	A licensed door supervisor will be on duty from 20.00 until the premises close. On Friday, Saturday, and Monday evenings there will be a total of 2

		<p>condition at this time. On enquiring with the manager, Sgt Cox was informed that the third member of door staff was on route and would be there shortly. Male A was observed within the venue and the manager confirmed that he was still employed by Kaos as bar staff.</p>	<p>supervisors on duty at the entrance, one starting at 20.00 and the second starting at 22.00, with a third door supervisor employed from midnight to monitor inside the venue</p> <p>10 minutes late, the LH relies on the services of a 3rd party to provide a service.</p> <p>139 Defence of due diligence</p> <p>(1)In proceedings against a person for an offence to which subsection (2) applies, it is a defence that—</p> <p>(a)his act was due to a mistake, or to reliance on information given to him, or to an act or omission by another person, or to some other cause beyond his control, and</p> <p>(b)he took all reasonable precautions and exercised all due diligence to avoid committing the offence.</p>
31	Police Review Pg 8	<p>On Thursday 14th April 2022 at 0346 hours Police were called by a customer at Kaos who had received injuries to his head when a glass was thrown at him. (LC-20220414-0153)</p>	<p>Allegation denied- no glass is in use since 03.00hrs onwards and this is an embedded policy. No requests for CCTV have been made by the police.</p>
32	Police Review Pg 8	<p>On Friday 15th April at 2245 hours a joint visit was conducted by PC Pritchard and Nicky Todd from Blackpool Council Environmental Protection at Kaos. They were attending following complaints from local</p>	

		residents about the volume of noise within the premises and the associated nuisance in the surrounding area. During this meeting, only one member of door staff was on duty and they were not present on the front door. Male A was observed working behind the bar.	
33	Police Review Pg 8	On Saturday 23 rd April 2022 at 0458 hours PC Graham was on duty in Blackpool when he witnessed a fight outside the door of Kaos. Assisted by other officers, he dispersed those involved but recorded on the Police log that this was due to "KAOS ALLOWING PEOPLE IN TOO INTOXICATED AND THEN CAUSING ISSUES!" (LC-20220423-0213)	Incident report on file
34	Police Review Pg 8	On Monday 9 th May 2022 at 0359 hours, Police were called by NWS to Kaos to the report of a serious assault. On arrival, it transpired an argument within the club had led to one male being removed by door staff. The second male involved has followed them out and seriously assaulted the first male, directly in front of door staff. Door staff failed to intervene and were slow to assist the injured male, who was knocked unconscious. One male later arrested. (LC-20220509-0145)	A detailed report regarding the unconscious male receiving first aid and a full description of the offender was given to the police Incident report on file
35	Police Review Pg 8	On Saturday 14 th May 2022 at 1946 hours the manager of Kaos contacted Police to report a fight within Kaos. He was not present at Kaos but reported they had no door staff and staff there were unable to cope. (LC-20220514-1481)	At the time of the incident, the premises had a group of 20 females who were in the company of 2 males (all friends) 2 further males entered and appeared troublesome, so they were refused service. An argument ensued outside the premises with the other 2 males (friends

			of the group of females). The troublesome males were not sold any alcohol.
36	Police Review Pg 8	On Sunday 15 th May 2022 at 0510 hours Police were called to the report of a suspected glassing at Kaos. On arrival the victim couldn't be located. (LC-20220515-0344)	Allegation denied - no glass is in use since 03.00hrs onwards and this is an embedded policy. CCTV was produced for the police LH has never had any feedback or follow-ups regarding this
37	Police Review Pg 8	On Friday 20 th May 2022 at 0042 hours Police received intelligence stating that door staff and staff behind the bar at Kaos were offering Cocaine to customers. (LC-20220520-0048)	Later that evening remarks were gleefully made by LS along the lines of "how was the police visit" suggesting this was a malicious or vexatious complaint to the police
38	Police Review Pg 9	Later that day, at 0519 hours a disturbance was reported within Kaos. On Police arrival it transpired that a fight within the club had resulted in 2 drunk females being ejected, of which one was a 17-year-old girl. (LC-20220520-0196)	NC has viewed the CCTV of this incident. The 2 girls were ID checked on the door and refused entry. At approximately 04.30 the alarm on the fire exit doors was activated. At this point, it is believed that the 2 females sneaked into the premises. They approached the bar and again were ID checked and refused service. The ID appeared to be borrowed rather than fake so was confiscated which sent the girls into a rage. A drink was grabbed from a couture top and thrown over male A and Shaun Mchale. The girls had to be manhandled from the premises, one lashed out with her nails causing lacerations to DS neck. The following day one of the girls returned to recover the ID from NC who said it would be handed over to the police
39	Police Review Pg 9	On Saturday 28 th May 2022 at 1808 hours a report was received of a spiking related incident at Kaos the previous evening. On Police arrival the customer involved refused to take a test and officers believed he was under the influence of Cocaine. (LC-20220528-1241)	No comment can be offered on this incident

40	Police Review Pg 9	On Sunday 5 th June 2022 at 0528 hours a customer at Kaos was punched to the face by a door supervisor, falling over and banging his head on the pavement. A similar incident in Lancaster tragically led to someone losing their life, but thankfully this incident did not end in the same way. The customer was treated by NWS and refused to speak to Police. (LC-20220605-0300)	The DS in question was SW (the same DS whose neck was scratched above) LHs recollection was that it was an open-handed push to the chest of the aggressor. He fell backwards. Following this incident, the security company carried out an internal investigation, but the matter was deemed not so serious as to warrant termination
41	Police Review Pg 9	On Thursday 9 th June at 0329 hours an assault took place, starting within Kaos and finishing on the street outside. A customer of Kaos was arrested. (LC-20220609-0136)	Incident report on file
42	Police Review Pg 9	On Sunday 12 th June 2022 at 0155 hours a customer at Kaos alleged he had been racially abused and assaulted by door staff at Kaos. (LC-20220612-0138)	Incident report on file Head Doorman is an Afro-Caribbean male, racial abuse is a factor in the DS incident but it describes TJ being abused. DS on duty that night TJ (Head Doorman) ,S Titterington, Martin Chapman, and C Seddon
43	Police Review Pg 9	On Tuesday 14 th June 2022 a large Cannabis grow was located at a building owned by the Premises Licence Holder – Neil Cropper. He is still under investigation in relation to this offence	This matter is subject to a GDPR Complaint. The premises in question was a storage unit at 28-30 Back Lord Street, it was rented by NC but cleared out between March and July 2020 (first lockdown). From July 2020 the premises stood empty and was not used by NC at all, he did not return to the property following its clearance.

			His home address was searched on the day the cannabis grow was discovered, and no items of concern were found at NCs home address
44	Police Review Pg 9	On Sunday 19 th June 2022 at 0100 hours a visit was conducted at Kaos by Police. Male A was once more observed to be working behind the bar.	At this point in time, Male had A seemed to have heeded the warning from Sharon and was not causing a concern
45	Police Review Pg 9	On Tuesday 21 st June at 1100 hours a meeting was held between Sgt Cox, the licence holder, his manager (Sean McHale), Martin Chapman - owner of Link Security and Lee Petrak, Blackpool Council licensing manager. Numerous incidents were discussed as outlined above and recommendations made to the licence holder.	LH was present at the meeting
46	Police Review Pg 9 Police Review Pg 9	Sgt Cox queried why male A was still employed at the venue when the licence holder had told PC Pritchard in February that he considered him to be a risk and was planning to dismiss him. The licence holder stated that he was not prepared to dismiss male A and that he believed in second chances. Sgt Cox explained that he would be sending an action plan to the licence holder with a series of recommendations, the key recommendation being to close the venue at 0200 hours each night, to prevent the large number of Police logs for disorder linked to the venue after this time.	Parts of the action plan are unrealistic. The venue takes between 65 and 70% of its turnover between 3 am and 5 am
47	Police Review Pg 9	On Wednesday 13 th July 2022 at 0318 hours a taxi driver called Police to report that a male had smashed one of his windows in an unprovoked attack. Enquiries identify the suspect as male A , who	Male A was off duty at the time of this incident and was working at the hotel at that time. He was contacted on the 17 th of October to arrange a voluntary interview with the Police.

		is still under investigation for the incident. (LC-20220713-0147)	
48	Police Review Pg 9	On Friday 12 th August 2022 at 0522 hours, Police were called to the report of a large fight outside Kaos. On arrival, a male had to be detained using PAVA spray and arrested. (LC-20220812-0239	Shaun Mchaul recalled the incident. Tjan (head DS) went to the aid of a female police officer away from the premises. She was on her own grappling with an uncooperative male (not a customer of KAOS) . The DS and the female police officer were caught in the collateral spray of the PAVA when the offending male was arrested
49	Police Review Pg 9	On Wednesday 17 th August 2022 at 0510 hours, Police were called to another large fight outside Kaos. On arrival, a large drunk crowd were dispersed. (LC-20220817-0220)	No information available
50	Police Review Pg 9	On Saturday 20 th August 2022 at 0422 hours Police were called to Kaos, following reports of a male knocked unconscious on the dance floor. The victim left before Police could identify them.	Incident log available. First Aid was administered; the staff called the ambulance
51	Police Review Pg10	On Monday 22 nd August 2022 at 0403 hours, Police were called to a fight on the street involving customers from Kaos. On Police arrival, one male was arrested. PC Graham endorsed the Police log stating, "SERVING PEOPLE THAT ARE FAR TOO DRUNK!" (LC-20220822-0175)	Incident log available, premises voluntarily closed without being requested
52	Police Review Pg 10	On Saturday 27 th August 2022 at 0511 hours Police were called by a customer of Kaos reporting that she had been assaulted and transphobically abused by doorstaff at Kaos. (LC-20220827-0331)	No details available

Sunday, January 9, 2022



LINK Security Incident Report

Report date and time: Sunday, January 9, 2022 02:14

Date and time when incident occurred: Sunday, January 9, 2022 02:00

Incident report issued by: Michael

Incident Location (Please provide specific details):

Kaos

Nature of incident

Violence

Incident details

This woman was shouting abuse at us for not helping this guy that we thrown out for being to drunk, then I turned around to talk to luke then she hit me in the back of the head with a phone, so I turned around and pushed her away from me she lost balance and hit the lamppost and fell to the floor. Police came to deal with the drunk guy then and then came and spoke to me about it then eft when the woman left

What motivated the incident?

Alcohol and not getting attention

Has anyone been arrested so far in relation to the incident?

No

Full Name Michael

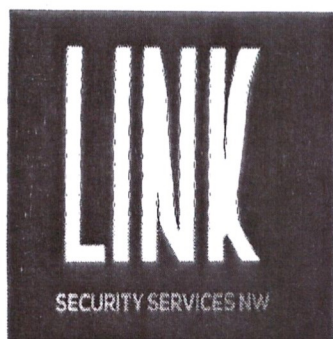
Address

C/O LINK Security Services NW Ltd
22 Plymouth Road
Blackpool
FY37JP
01995238220

Phone Number (+44)

I certify that the above information is true and correct.

Saturday, February 5, 2022



LINK Security Incident Report

Report date and time: Saturday, February 5, 2022 19:05

Date and time when incident occurred: Saturday, February 5, 2022 03:40

Incident report issued by: Connor

Incident Location (Please provide specific details):

Kaos night club , Blackpool , queen's street.

Nature of incident

Drunk and disorderly.

Incident details

I was on the door and Luke and tijan went inside to walk around. I was about to open the doors to take a look inside as I heard shouting and Luke and tijan ended up throwing a male towards me and around 5 other males stormed my entrance from inside the club and other doormen who was inside the venue already assisted in throwing out the rest of the males with me and Luke and tijan. Once the males was outside they took barriers for queing and ran up the street towards flying handbag where the fight continued with other guests from inside the venue. I used the link radio instantly once they was outside the venue and requested alpha alpha on scene as they was using our barriers for weapons. Police arrived on scene in almost 4 minutes. While police was dealing with the fight up queen's street many more guests were trying to enter the building without barriers in place so new concept helped and assisted in keeping the door safe as their was too many people trying to rush the doors. I made a decision to close the venue 45 minutes early for entry as their was to much going on and people not listening to us trying to force their way in. People started to move away and go home. Police arrested several people who started the fight with the 6 people and left. Door was then back to normal after 30 minutes of the fight.

What motivated the incident?

Drunk and disorderly.

Was a report of the incident issued to the police? (Log no: & Collar no:)

Yes.

Has anyone been arrested so far in relation to the incident?

Yes . Several people I was told.

Full Name Connor

Address
C/O LINK Security Services NW Ltd
22 Plymouth Road
Blackpool

Friday, February 25, 2022



LINK Security Incident Report

Report date and time: Friday, February 25, 2022 04:30

Date and time when incident occurred: Friday, February 25, 2022 04:30

Incident report issued by: Tijan

Incident Location (Please provide specific details):

Kaos

Nature of incident

Fight

Incident details

2 guys was fighting me and Chris was sorting the fight out and kick both of them out, Chris rang Dave for back up, Liam walked in sat around the bar and lit a fag I told him leave he said he want to have a word with karl and go I told him no you leaving the premises, he was holding a pint he smashed the glass on the bar and cut my hand, he try to punch me I blocked it and immediately detained him by pinning him on the floor. Dave and Chris came and back me up Police came and arrested him and took my details.

What motivated the incident?

Being in the premises know he is ban.

Was a report of the incident issued to the police? (Log no: & Collar no:)

Yes

Has anyone been arrested so far in relation to the incident?

Yes Chris

Full Name Tijan

Address

C/O LINK Security Services NW Ltd
22 Plymouth Road
Blackpool
FY37JP
01995238220

Phone Number

Further Comments

Male was de arrested around the corner



LINK Security Incident Report

Report date and time: Wednesday, March 2, 2022 05:59

Date and time when incident occurred: Wednesday, March 2, 2022 05:00

Incident report issued by: Chris

Incident Location (Please provide specific details):

Kaos

Nature of incident

Reported stabbing outside of the venue

Incident details

3 customers aproched me as we were in the process of locking up and reported that someone had a knife and at least 2 people had been stabbed on the street, i immediately reported this to the staff in the bar and the police were called, i checked outside for any stab victim's but could not see anyone how had been injured, there was also no one with a weapon was present that i could see

What motivated the incident?

Unknown

Was a report of the incident issued to the police? (Log no: & Collar no:)

No information was give to us at this time and no statement was given

Has anyone been arrested so far in relation to the incident?

Not to my knowledge

Full Name Chris

Address

C/O LINK Security Services NW Ltd
22 Plymouth Road
Blackpool
FY37JP
01995238220

Phone Number

Saturday, April 23, 2022



LINK Security Incident Report

Report date and time: Saturday, April 23, 2022 16:01

Date and time when incident occurred: Saturday, April 23, 2022 04:50

Incident report issued by: Mr James

Incident Location (Please provide specific details):

Kaos bar inside bar and entrance

Nature of incident

Assault and refusal to leave

Incident details

C. Hopwood allowed Jay Reynolds (who assaulted D. Buchanan a few weeks ago) because he said it wasn't him it was his twin brother. About 0445 the radio goes off for door staff so C Hopwood and C Seddon went inside, they were inside around 2 minutes and a further radio call for assistance so I went inside and saw a male with blood coming from his nose caused by Jay Reynolds we all split them up and attempted to get the male out myself and another doorman from a different venue got the male with the bloody nose out. Jay Reynolds got more aggressive and refused to leave C. Hopwood asked me to get Alpha Alpha as it was getting very heated so police arrived the male walked out and no police had to get involved.

What motivated the incident?

Not sure

Was a report of the incident issued to the police? (Log no: & Collar no:)

Yes police didn't stick around they just left after male had left the area

Has anyone been arrested so far in relation to the incident?

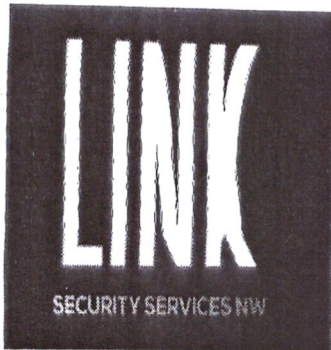
No

Full Name James

Address
C/O LINK Security Services NW Ltd
22 Plymouth Road
Blackpool
FY37JP
01995238220

Phone Number (+44)

Monday, May 9, 2022



LINK Security Incident Report

Report date and time: Monday, May 9, 2022 05:58

Date and time when incident occurred: Monday, May 9, 2022 03:35

Incident report issued by: Stephen

Incident Location (Please provide specific details):

Kaos

Nature of incident

Ejection and assault

Incident details

At around 03:45 myself and Simon where asked to eject a male from the venue due to causing so myself and Simon ejected male from the venue with no issues.

After ejecting male another male left the venue also behind us... at the moment the ejected male and the other male where talking normally and all of a sudden the male who left after us assaulted the male we ejected the male who did the assault ran off up the street, the male who he had assaulted was unconceaious and bleeding from his head, Simon put male in recovery position whilst I phoned for an ambulance Kyle the barman was giving male first aid also..... after the I got of the phone I asked Simon to control customers and keep them away, in the meantime the male started fitting so again rang the ambulance this had to be done 3 times due to the high frequency of fits the male was having, at around 04:05 the ambulance arrived to treat the male, at the same time the police attended, whilst the paramedics attended to the male I spoke to the police about what had happened and give the name and description of the offender. Male was taken in the ambulance and police went search for the offender, police took a copy of CCTV on a pendrive and took mine and Simon details incase statements where needed.

What motivated the incident?

Unsure

Was a report of the incident issued to the police? (Log no: & Collar no:)

Yes

Has anyone been arrested so far in relation to the incident?

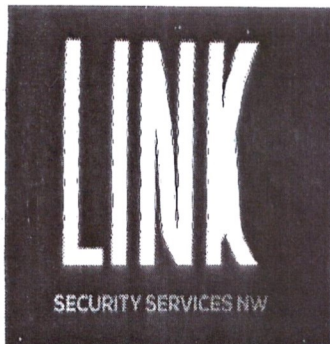
No

Full Name Stephen

Address

C/O LINK Security Services NW Ltd

Thursday, June 9, 2022



LINK Security Incident Report

Report date and time: Thursday, June 9, 2022 03:59

Date and time when incident occurred: Thursday, June 9, 2022 03:25

Incident report issued by: James

Incident Location (Please provide specific details):

Kaos front

Nature of incident

Assault

Incident details

Female who had only been unbarred for 2 days hit another female was continually getting more aggressive so was sprayed with smart tag police called and female arrested

What motivated the incident?

Drunk female

Was a report of the incident issued to the police? (Log no: & Collar no:)

Yes 0113

Pc 5792 fuller

Has anyone been arrested so far in relation to the incident?

Yes

Full Name James

Address

C/O LINK Security Services NW Ltd

22 Plymouth Road

Blackpool

FY37JP

01995238220

Phone Number (+44) 1253 333333

I certify that the above information is true and correct.

Friday, September 9, 2022



LINK Security Incident Report

Report date and time: Sunday, June 12, 2022 05:45

Date and time when incident occurred: Sunday, June 12, 2022 00:40

Incident report issued by: Martin

Incident Location (Please provide specific details):

Kaos front door

Nature of incident

Racial abuse and aggressive behaviour

Incident details

A male was refused entry at the front door for both dress code and being intoxicated, he became very abusive calling Tijan a dirty nigger and started spitting at him I intervened and he told me to get away from him and pushed me to get to Tijan and went to punch him so I restrained the male and pushed him away from the venue the male then walked away continually shouting racial abuse at Tijan until he was around the corner

What motivated the incident?

Being refused

Was a report of the incident issued to the police? (Log no: & Collar no:)

No

Has anyone been arrested so far in relation to the incident?

No

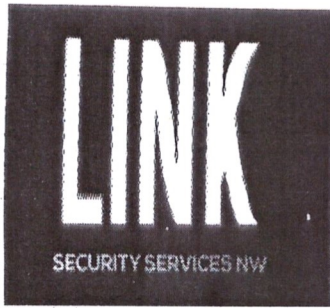
Full Name Martin

Address

C/O LINK Security Services NW Ltd
22 Plymouth Road
Blackpool
FY37JP
01995238220

I certify that the above information is true and correct.

Saturday, August 20, 2022



LINK Security Incident Report

Report date and time: Saturday, August 20, 2022 20:44

Date and time when incident occurred: Saturday, August 20, 2022 04:02

Incident report issued by: Stephen

Incident Location (Please provide specific details):

Kaos

Nature of incident

Assault

Incident details

At around 0402 myself S.warburton heard a loud bang in the bar when i looked over at the bar someone was on the floor, i went over and found a male unconscious and unresponsive male was put in the recovery position. I then radioed D.buchanan for assistance as she is more medical trained than my self, DB made the call to get a ambulance so i went out side to call an ambulance leaving T.Titterington to assist DB by doing crowd controlled, I then made the decision to stop letting customers in venue for the males safety so I told C.seddon to stop letting in for the time being.

I called an ambulance and kept monitoring the situation inside the venue, after around 20 minuets the male came around and was brought outside to sit on the bench in smoking area. I then left DB with male and allowed entry to the venue again.

Ambulance arrived but male had walked off on his accord. Ambulance left.

After the venue you had closed i then checked CCTV and it was found that the male was assaulted by another male

What motivated the incident?

Unsure

Was a report of the incident issued to the police? (Log no: & Collar no:)

Yes, LC-20220820-0254

Has anyone been arrested so far in relation to the incident?

No

Full Name Stephen

Address

C/O LINK Security Services NW Ltd
22 Pl mouth Road

Monday, August 22, 2022



LINK Security Incident Report

Report date and time: Monday, August 22, 2022 06:12

Date and time when incident occurred: Monday, August 22, 2022 04:00

Incident report issued by: Stephen

Incident Location (Please provide specific details):

Kaos

Nature of incident

Fight

Incident details

At around 0400, a group of males started fighting near the entrance inside the bar my self and T.Titterington with the help of a off duty doorman managed to get all males out the venue, males did start throwing punches towards doorstaff no one got injured, apparently my self got punched but i didnt feel this happen.... once all males where outside, Kyle bar staff decided to close the venue so i shut the front doors and called for police assistance, police attended i pointed out males to them but unsure on what happned.... Kyle decided to keep venue closed due to how volitile things where for the safety of staff and customers.

What motivated the incident?

Unknown

Was a report of the incident issued to the police? (Log no: & Collar no:)

Yes, not got a log number

Has anyone been arrested so far in relation to the incident?

No

Full Name

Stephen

Address

C/O LINK Security Services NW Ltd
22 Plymouth Road
Blackpool
FY37JP
01995238220

I certify that the above information is true and correct.

Appendix 10a

Begin forwarded message:

From: "Parkinson, Helen" <Helen.Parkinson@lancashire.pnn.police.uk>

Date: 29 March 2018 at 14:08:35 BST

To: neil cropper

Subject: FW: Minor Variation - Kaos

Hi Neil,

I've managed to find the e-mail I sent you with the proposed changes to the licence on.

We can go through them on Tuesday, but have a look through in the meantime and see if you are happy with them

Cheers

Helen

From: Parkinson, Helen

Sent: 18 December 2017 15:25

To: neil cropper

Subject: RE: Minor Variation - Kaos

Hi Neil,

I've gone through the licence for Kaos and attached is a list of conditions I would like to see added to the licence and also some that I think should be removed.

Please have a look at them closely and get back to me with what you think. Please pay particular attention in relation to doorstaff condition and also in relation to training as I've requested every 4 months, which is what most venues do now.

By all means once you've had a look give me a call and we can discuss them. Also let me know if there are any you would like to change. I've included the change in relation to staff working between 16-18 years.

Kind Regards

Helen

Helen Parkinson PS1747
Licensing Sgt - West Division
Blackpool Central Police Station
604074

From: Parkinson, Helen
Sent: 15 December 2017 14:55
To: 'Neil Cropper'
Subject: RE: Minor Variation - Kaos
Hi Neil,

That great news about the staff cracking on with the training, obviously the sooner the better as this then covers your part for due diligence should underage sales etc be made.

I will go through your licence thoroughly next week and come up with a list of alterations we would like to see to tidy it up. If you then have a look at it and we can discuss everything before you submit it.

Many Thanks

Helen

From: Neil Cropper
Sent: 14 December 2017 13:13
To: Parkinson, Helen

Subject: Re: Minor Variation - Kaos

Hi Helen

Thanks for the meeting on Friday it was constructive about how to get things sorted.

If you can let me know all the conditions that should be changed, I know there are a few in regards to the members policy along with the door staff.

I will make sure they also are on it. So any other we should look at to get sorted would be great to know and then we can have everything in the right direction.

We have also told all the staff what courses to be done and they have already started those.

Thanks

Neil

Sent from my iPhone

On 14 Dec 2017, at 13:06, Parkinson, Helen <Helen.Parkinson@lancashire.pnn.police.uk> wrote:

Hi Neil,

Following on from our meeting the other day. I am willing to allow 16-18year olds to work at the premises but with certain restrictions ie. Not after midnight and not involved in alcohol sales. It will need to be done by means of a minor variation to change the current condition on the licence.

I was just wondering, if you chose to do this it may be a good time to sort a couple of other conditions out as well, eg. Change challenge 21 to challenge 25 etc – nothing that you don't already do but it will just formalise it better.

If you decide to go ahead with the minor variation, please get in touch with me first so I can instruct what conditions need changing etc as there is no scope to mediate on a minor once submitted.

Cheers

Helen

PS1747 Helen Parkinson

Licensing Sgt – West Division

Bispham Police Station

Blackpool

01253 604074