

<b>COMMITTEE:</b>	<b>CENTRAL LICENSING SUB-COMMITTEE (ARFON)</b>
<b>DATE:</b>	<b>22 FEBRUARY 2013</b>
<b>TITLE:</b>	<b>APPLICATION TO REVIEW A PREMISES LICENCE – STAR KEBAB, 323 HIGH STREET, BANGOR</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF REGULATORY DEPARTMENT</b>

## **APPLICATION**

An application is appended to review the premises licence of Star Kebab, 323 High Street, Bangor, LL57 1NY from Inspector Simon Barrasford, North Wales Police. The application was submitted in relation to the four licensing objectives, namely:

- Crime and Disorder Prevention
- Public Safety
- Public Nuisance Prevention
- Protection of children from harm

The application is submitted due to the continued problems mainly involving crime and disorder on the premises and consistent breach of conditions in particular in relation to the closing hours on the premises' late night refreshment licence.

The premises has already been subject to a review by the Police in November 2011; and the Sub-committee resolved to approve a review of the licence on grounds of evidence submitted by the Police on 12 January 2012. A copy of the review application is included in Appendix A to the current review application made by the Police.

In January 2012, the Sub-committee resolved to reduce the opening hours and licensed activity hours as follows -

Sun / Thurs - 23.00 to 02:00  
Friday/Saturday - 23.00 to 02:30

In addition to the above, the conditions in relation to maintaining a CCTV system on the premises were changed and conditions were added in relation to the presence of door supervisors and a door supervisors' register.

The licence holder appealed against the decision of the Sub-committee which meant that it was not possible to implement the new hours until such time as the Court's decision on the appeal case was known.

On the day of the appeal case on 28 August 2012 the Court was notified that the licence holder was withdrawing his appeal which meant that the Sub-committee's decision became effective immediately.

On 15 and 16 September 2012; the Police witnessed the premises being open beyond their licensed hours and the offence of a breach of licence conditions was reported by the Police in accordance with the requirements of section 136 of the Licensing Act 2003. The licence holder was required to appear at Caernarfon Magistrates' Court on 19 November and he pleaded guilty to the offences.

The Police's application expands upon the specific offences which are the basis of the evidence for this review. There are now 22 occurrences of crime and disorder linked to this premises. It is noted

that the premises is also responsible for over 80% of the violent incidents at late night refreshment premises in Bangor.

Some of the crime and disorder incidents took place during a weekend in December 2012. At the time, the licence holder was acting in accordance with an extension to opening hours approved through Temporary Notices by the Sub-committee on 29/11/12.

Evidence is also submitted by the Police of non-compliance with the licence conditions of providing door supervisors after 23:00 on Thursdays to Sundays and keeping a register of door supervisors. Occasions have been noted of non-compliance with these conditions.

The Police also noted that it is possible to see from the CCTV evidence submitted to the Committee to support this application, that there was non-compliance with several other conditions on the premises licence. Schedule 2 of the Police's application expands upon the details seen on the CCTV coverage.

### **POLICE RECOMMENDATION**

The Sub-committee is requested to use the powers authorised to it to suspend the premises licence for a period of three months or any period considered appropriate by the Sub-committee. The Police's opinion is that giving a specific suspension would allow the licence holder an opportunity to take steps to resolve the lack of control observed by the Police on the premises.

### **CONSULTATION**

No observations on the Police's applications were received during the relevant period until 4 February when this report was completed.

### **RECOMMENDATION**

The Committee is requested to consider the application in accordance with the Licensing Act 2003.