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Bridgend County Borough Council
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Civic Offices, Angel Street, Bridgend, CF31 4WB / Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB

Legal and Regulatory Services /

Gwasanaethau Cyfreithiol a Rheoleiddiol

Direct line / Deialu uniongyrchol: 01656 643395

Ask for / Gofynnwch am: Sarah Daniel

Our ref / Ein cyf:

Your ref / Eich cyf:

Date / Dyddiad: 15th April 2015

Dear Councillor,

LICENSING ACT 2003 SUB-COMMITTEE (A)

A meeting of the Licensing Act 2003 Sub-Committee (A) will be held in Level 4 Conference room 2, Civic Offices, Angel Street, Bridgend on **Tuesday, 21 April 2015 at 10.00 am.**

AGENDA

1. Apologies for Absence
To receive apologies for absence (to include reasons, where appropriate) from members / officers.
2. Declarations of Interest
To receive Declarations of personal and prejudicial interest (if any) from members/ officers in accordance with the provisions of the Members Code of Conduct adopted by Council from the 1st September 2008.
3. Licensing Act 2003 : Section 51 Application for Review of Premises Licence 3 - 70
Mudo's currently known as Golden Lion & Aberkenfig Kebab & Pizza House,
103 Bridgend Road, Aberkenfig, Bridgend

Yours faithfully

P A Jolley

Assistant Chief Executive Legal and Regulatory Services

Distribution:

Councillors:

B Jones

Councillors

JE Lewis

Councillors

R Williams

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO SPECIAL LICENSING ACT 2003 SUB COMMITTEE

21 APRIL 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

LICENSING ACT 2003 : SECTION 51

APPLICATION FOR REVIEW OF PREMISES LICENCE

MUDO'S CURRENTLY KNOWN AS GOLDEN LION & ABERKENFIG KEBAB & PIZZA HOUSE, 103 BRIDGEND ROAD, ABERKENFIG, BRIDGEND

1. Purpose of Report.

- 1.1 On 20 February 2015, an application for a Review of the Premises Licence was submitted by the Chief Officer of Police in relation to the above premises.
- 1.2 The Premises Licence Holder is Mustafa Dost. The Premises Licence authorises the Supply of alcohol and recorded music between the following times:- Monday to Thursday between 1000 and 0000 hours, Friday and Saturday between 1000 and 0100 hours, Sunday between 1100 and 0000 hours, All Bank Holidays including the Friday before August Bank Holiday and St Patricks night 17th March from 1000 to 0100 hours the following day. Christmas Eve from 1000 to 0100 hours the following day and New Years Eve from 1000 to 0200 hours the following day. Live music is authorised between the following times:- Thursday between 2030 and 0000 hours, Saturday between 2100 and 0000 hours, Sunday between 1600 and 1800 hours and 2000 and 2300 hours, St. Patricks Night 17th March between 2100 and 0000 hours, Christmas Eve between 2030 and 0000 hours and New Year's Eve between 2100 and 0030 hours.

2. Connection to Corporate Improvement Plan / Other Corporate Priority.

- 2.1 None.

3. Background.

- 3.1 A copy of the application form and background documents submitted by the Chief Officer of Police, together with a location plan is attached at Appendix A.

4. Current situation / proposal.

- 4.1 The application has been advertised in accordance with the regulations. Representations were received from Trading Standards and the Licensing Authority, copies of which are attached at Appendix B and C.
- 4.2 The South Wales Fire and Rescue Service did not wish to submit representations, however, the following observation was received:-

"During 2014, South Wales Fire and Rescue Service inspected the premises 103 Bridgend Road, Aberkenfig and issued a non compliance schedule of work notice to the recorded premises responsible person Mr Mustafa Dost.

As we have already implemented measures to inform the premises responsible person of the non-compliance measures identified under the Regulatory Reform Fire Safety Order 2005, No review of premises licence representation will be made by South Wales Fire and Rescue Service Reference: NJD / 01N-022-545/ LA01 letter to be issued separately to this e-mail .

Having ascertained police licensing interest recorded within the review of premises licence application. As I am unable to confirm the works have been carried out, I have attached a copy of the notice issued”.

4.3 A copy of the notice referred to above is enclosed within application for review of Premises Licence at Appendix A of this report.

4.4 At the time of preparing this report the Licensing Section were not aware of any discussions between parties and the Premises Licence Holder and an update will be provided to the Committee at the start of the hearing.

5. Effect upon Policy Framework & Procedure Rules.

5.1 None.

6. Equality Impact Assessment.

6.1 A full Equality Impact Assessment has not been undertaken in relation to this service, however due regard has been given to the implications on persons protected by equality legislation and human rights. Adverse impact of this Legislation on the equality protected groups is very unlikely. Consideration has been given to the guidance issued to accompany the Licensing Act 2003 relating to need to eliminate duplication and conflict with existing disability legislation and to reference and highlight the Council's Race Equality Scheme, policies and codes of conduct to applicants. We do not consider, on the basis of the above, that a detailed Equality Impact Assessment is required for this service. In line with our Inclusive Equalities Scheme we will monitor for any adverse impacts that may develop.

7. Financial Implications.

7.1 None.

8. Recommendation.

8.1 The Licensing Sub-Committee must consider:-

- having regard to the application and any relevant representations, steps it considers necessary for the promotion of the licensing objectives.

8.2 The steps the Licensing Authority can take are:-

- no action;
- modify the conditions of the licence;
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
- exclude a licensable activity from the scope of the licence;
- remove the designated premises supervisor;

- suspend the licence for a period not exceeding three months;
- revoke the licence;

- 8.3 Members must also have regard to the following:- Section 11 of the Home Office Guidance issued under Section 182 of the Licensing Act 2003 and Section 12 of the Council's Statement of Licensing Policy which relates to review of licences. Section 10 of the Home Office Guidance which relates to imposing condition on premises licences.
- 8.4 Information on Home Office Employer's guide to right to work checks, penalties for employing illegal workers and guidance on how to check if someone can work in the UK will be available to members at the meeting.

Andrew Jolley
Assistant Chief Executive Legal and Regulatory Services
Date : 15 April 2015

Contact Officer: Rachel Morris
 Senior Licensing & Registration Assistant

Telephone: (01656) 643110

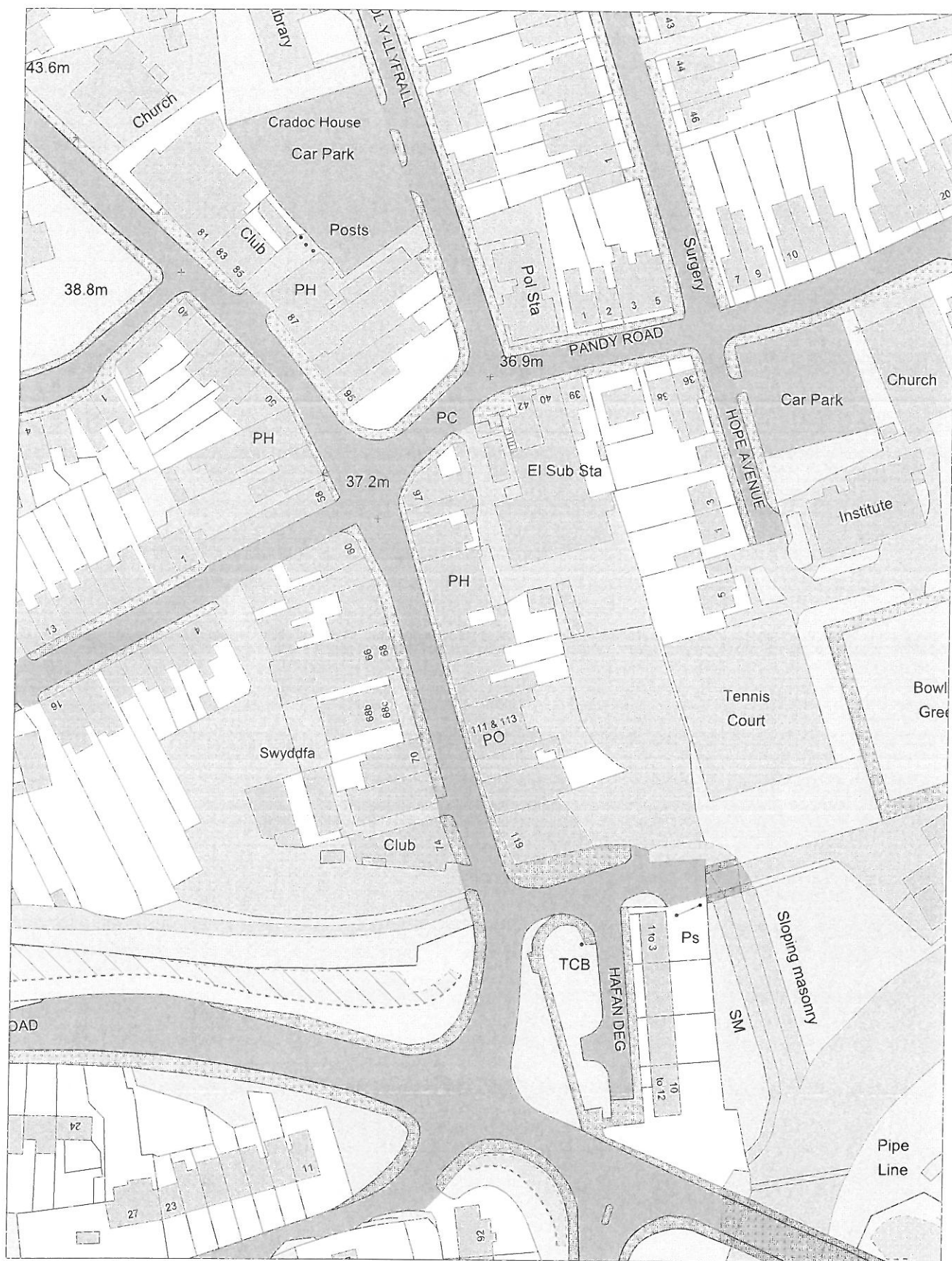
E-mail: Rachel.Morris@bridgend.gov.uk

Postal Address Civic Offices, Angel Street, Bridgend, CF31 4WB

Background documents

Application for Review of Premises Licence.
 Correspondence from Trading Standards
 Correspondence from the Licensing Authority
 Correspondence from South Wales Fire & Rescue Service
 Home Office Guidance – An employer's guide to right to work checks, penalties for employing illegal works and how to check if someone can work in the UK : www.gov.uk
 Bridgend County Borough Council Statement of Licensing Policy: www.bridgend.gov.uk
 Amended Guidance issued under Section 182 of the Licensing Act 2003 – March 2015 available at www.homeoffice.gov.uk

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Sterling Court
Norton Road
Stevenage
Herts SG1 2JY
UK

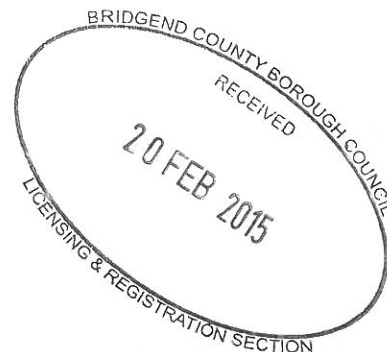
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Licence Number: nnnnnn

Application for Review of a Premises Licence under Section 51 of the Licensing Act 2003



(1)

Reference number:

B.3-38/2015

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that

Your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records

(2) **We SOUTH WALES POLICE**

Apply for the review of a premises licence for the premises described in Part 1 below

Part 1 - Premises details

Postal address of premises: **GOLDEN LION & ABERKENFIG KEBAB AND PIZZA HOUSE, 103 BRIDGEND ROAD, ABERKENFIG**

Post town: **BRIDGEND**Postcode (if known): **CF32 9AP**Telephone number: **(01656) 724098**Name of the premises licence holder: **MUSTAFA DOST**Number of the premises licence holder: **BCBCLP381; Issue 6 of 12/03/2014**

Part 2 - Applicant details

I am

1) an interested party (Please complete section (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in businesses in the vicinity of the premises

Please tick ✓ yes

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Delete any words that do not apply

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant(s)

2) A responsible authority (please complete (c) Below)

X

3) A member of the club to which this application relates (Please complete (A) below)

<input type="checkbox"/>

(A) Details of Individual Applicant (fill in as applicable)

Mr ☐Mrs ☐Miss ☐ Ms ☐Other title
(for example, Rev)

--	--

Surname

First Names

Please Tick / Yes

Day

Month

Year

I am 18 years old or over

☐

--	--	--	--	--	--

Current address

Post town

Postcode

Daytime Contact telephone number

Email Address
(optional)**(B) Details of other applicant**

Name and Address

--

Post Town

Postcode

Date of Birth

Day	Month	Year

Telephone Number (If any)

C) Details of Responsible Authority (please see guidance note 5)**SOUTH WALES POLICE**

**THE CHIEF OFFICER OF POLICE
CHIEF CONSTABLE 4395 VAUGHAN
POLICE HEADQUARTERS
COWBRIDGE ROAD**

Post Town **BRIDGEND**Postcode **CF31 3SU**

Telephone number

(01656) 655555

Email Address

(Optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

1) The Prevention of Crime and Disorder**X****2) Public Safety****X****3) The Prevention of Public Nuisance****X****4) The Protection of Children from Harm****X**

Please state grounds for review (please see guidance note 1)

Please provide as much information as possible to support the application (please see guidance note 2)

It is the Premises Licence which is being reviewed and not the current licensee or individuals or companies who have previously held the licence.

Numerous historic and recent serious offences have been committed at the Golden Lion by various persons concerned with its management and the premise has a chequered and unacceptable history of failing to promote the licensing objectives.

In **March 2011** information was received that alcohol was being sold to children and a joint South Wales Police and Trading Standards test purchase operation took place which resulted in the sale of alcohol to 14 and 15 year old volunteers.

In **September 2011** South Wales Police became aware that the supply of Class A drugs was taking place at the premise.

A search warrant was executed and in excess of £30,000 of heroin was seized and six staff members were arrested including the then licence holder and Designated Premises Supervisor (DPS).

Divisional Licensing Officers immediately utilised the expedited review procedure and the licence was suspended.

Prior to this other offences under the Licensing Act had also been committed.

PERSONS WHO ARE CURRENTLY RESPONSIBLE FOR THE PREMISE

On **23rd December 2013** Mustafa Dost made application to transfer the Premises Licence into his name however; although he had been involved with the venue prior to the transfer there is no evidence to suggest he was connected to it in **2011**.

He is also the DPS and has held this position since **20th February 2014**.

He is a Personal Licence holder; reference BCBCL1360, issued by Bridgend County Borough Council on **11th February 2014**.

James Quantick, an associate of Mustafa Dost, also has a business interest in the Golden Lion and is the Premises Licence holder of the *Buccaneer Bar Complex*, a venue in Porthcawl where he also has interests in three other unlicensed takeaways.

Offences under the Licensing Act have been committed at all four premises.

South Wales Police has interrogated the incidents recorded at the Golden Lion since Mustafa Dost became involved with the premise.

A number of enforcement visits have taken place highlighting breaches of the licence which are contrary to Section 136 and are the most serious under the Licensing Act.

In **October 2013** officers from the United Kingdom Borders Agency (UKBA) executed a warrant and arrested an Indian migrant as he was illegally in the UK.

In **November 2013** Divisional Licensing Officers attended at the venue and served on Mustafa Dost a Closure Notice for failing to adhere to the conditions of the Premises Licence.

In **March 2014** UKBA executed another warrant and arrested a Turkish migrant working at the premise as he too was illegally in the UK.

In **April 2014** a Fire Officer conducted a safety visit and evidenced serious contraventions of fire safety regulations.

Thereafter Mustafa Dost continued to commit offences contrary to Section 136 and in **January 2015** was placed on an Action Plan which failed to deter him as he persistently committed like offences thereafter.

Infact his offending is not restricted to the Golden Lion as he has also committed like offences at *Pizza Bella* another takeaway both he and James Quantick are associated with which is located in Porthcawl.

Both individuals have infact received verbal and written warnings in respect of *Pizza Bella* and indeed other premises.

THE PREMISE

The Golden Lion is a large terraced building which is situated on the main road through Aberkenfig.

It previously operated solely as a public house with an old style main bar on the ground floor to the left of the entrance and a separate lounge to the right with flats on the first floor.

Licence 5 of **31st January 2014** resulted from a change of name with the premise being known as *Mudo's* which is an amalgamation of the name Mustafa Dost.

It also represented a change of direction of the business as the bar servery in the lounge was stripped out and the room altered and refurbished as a separate facility from the bar.

The "lounge" now resembles something more like a kebab takeaway with tiled walls and seating and a fast

food delivery service is also provided however; the main bar remains largely unaltered.

Another name change followed whereupon the main bar returned to its origins as the Golden Lion whilst the food outlet was called *Aberkenfig Kebab & Pizza House*.

The provision of late night refreshment is the supply of hot food or hot drink between 23.00 and 05.00 hours, a licensable activity.

In the main pizzas, kebabs, burgers, chicken and such like are on offer yet despite the fact that the food provided lends itself more to revellers who eat late at night what is significant is there is no authorisation permitting late night refreshment.

Infact Mustafa Dost's mindset is such that despite advice and warnings he blatantly advertises on menus and flyers that the food outlet is (unlawfully) open: -

Monday to Sunday 4.00pm to 11.30pm.

Delivery time: Monday to Sunday 4.00pm to 11.30pm.

THE LICENCE

It is important that the Sub-Committee familiarise themselves with the licence but briefly the licensable activities authorised by the licence are:

Supply of alcohol

Live Music

Recorded Music

The main activity is the sale by retail of alcohol:-

Monday to Thursday : 10.00 – 00.00 hours

Friday and Saturday : 10.00 – 01.00 hours

Sunday : 11.00 – 00.00 hours

Opening hours of the premises:

As above plus 30 minutes winding down period

There are conditions attached at Annex 1 and 3 and Annex 2 concerns the proposals which are volunteered in applications by applicants which are then adopted as conditions i.e. conditions consistent with the Operating Schedule.

THE LICENSING OBJECTIVES

THE PREVENTION OF CRIME AND DISORDER

South Wales Police work in conjunction with our partners at the UKBA exchanging information and intelligence and often accompanying them on enforcement visits when immigration warrants are executed at licensed premises.

This partnership has evolved since an important part of Home Office licensing guidance relative to reviews

was amended to specifically focus on enforcement around serious criminality involving the unlawful employment of illegal migrants.

The guidance is referred to elsewhere in the review.

Occurrence of 20th October 2013

UKBA conducted an enforcement visit at the premise as they had reliable intelligence to suggest that migrants who were illegally in the UK were also being employed there.

Entry was gained by an immigration warrant under Section 28(B) which was granted by Swansea Magistrates.

An Indian migrant who had illegally entered the UK was found upstairs but denied he was working there.

Mustafa Dost was working at the time of the visit.

The migrant had previously been dealt with by UKBA and was given reporting restrictions but absconded.

Occurrence of 7th March 2014

On 7th March 2014 a Turkish migrant worker was found to be employed at the premise during another enforcement visit by the UKBA.

His visa had expired and as he was illegally in the UK he was duly arrested.

Mustafa Dost was not working at the time and as the employer of the illegal migrant he was advised to attend for questioning but failed to show up prior to UKBA leaving.

Other offences committed, which similarly fail to promote the objectives, are detailed elsewhere in the review.

PUBLIC NUISANCE

The Public Nuisance objective is compromised as since December 2014 in particular there has been several reports of assault, fighting and disturbance both inside the premise and in the street late at night and during the early hours of the morning.

PROTECTION OF CHILDREN FROM HARM

During a reported fight at 00.15 hours on a Saturday morning (i.e. Friday night) the attending officers noted a customer with facial injuries and what was of further concern was that there was a female in the bar who was aged 14 years.

PUBLIC SAFETY

Public Safety is at risk because nothing is known of the antecedent history and background of the employee who entered the UK illegally which potentially further impacts on the licensing objectives.

As indicated there has also been a number of disturbances which has resulted in injury and the arrest of assailants.

BRIDGEND COUNTY BOROUGH COUNCIL'S "STATEMENT OF LICENSING POLICY"

Section 12 refers to **REVIEWS OF LICENCES:**

Paragraph 12.1 ***"Reviews of Premises Licences represent a key protection for the community in respect of problems during the term of a Premises Licence."***

HOME OFFICE GUIDANCE UNDER SECTION 182 OF THE ACT

Section 1 refers to **LICENSING OBJECTIVES AND AIMS:**

Sub-section 1.2 highlights that, ***"The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken."***

Sub-section 1.3 details the objectives and 1.4 states that, ***"Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times."***

Section 11 relates to **REVIEWS:** -

Sub-section 11.1 ***"The proceedings set out in the 2003 Act for reviewing Premises Licences represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a Premises Licence."***

"REVIEWS ARISING IN CONNECTION WITH CRIME"

11.27 ***"There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously."***

One of these activities is, ***"Knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter."***

11.28 ***It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence - even in the first instance - should be seriously considered."***

The aforesaid guidelines are extremely specific to this application as they have been ignored.

Offences have been committed under the Licensing Act 2003, the Regulatory Reform (Fire Safety) Order 2005, the Immigration Act 1971 and the Immigration, Asylum & Nationality Act 2006.

The guidelines issued by UKBA are clear and unambiguous and are freely available to all employers on the Home Office website.

Similarly guidance under the Licensing Act requires a clear emphasis on promoting the licensing objectives.

Illegal working is not a victimless crime as it exploits sometimes vulnerable migrants, and potentially defrauds the taxpayer, can deny employees a safe working environment, undercuts honest employees and limits the employment opportunities of legitimate jobseekers.

As an individual has been illegally employed there are clearly working opportunities available however; they have been denied to persons who are lawfully able to work.

Employing illegal workers is likely to result in Her Majesties Revenue & Customs (HMRC) being deceived by avoiding paying tax and National Insurance contributions.

It is also arguable whether transient non-British nationals who speak very little or no English and have little or indeed no knowledge of licensing law promotes the licensing objectives.

Licence holders have attempted to absolve themselves of any blame for employing such individuals by indicating that they have been supplied with fraudulent identification documents.

However; this is misleading and demonstrates a complete lack of due diligence as UKBA offer an employee checking service which is freely available to employers who can and must verify the immigration status of potential migrant employees by conducting document checks against the UKBA database.

There is also a help line manned by immigration officials.

IMMIGRATION ISSUES

The following has been extracted from the Home Office UKBA website and is a:

SUMMARY GUIDE FOR EMPLOYERS ON PREVENTING ILLEGAL WORKING IN THE UK

“Illegal working has harmful social and economic effects on the UK; it undercuts British businesses and their workers that stay within the law and exploits migrant workers. As long as there are opportunities for illegal working the UK will be an attractive place for illegal migrants. That is why we need to put a stop to employers breaking the law by taking tough action against those who do so.

There is evidence that some workers employed illegally are paid less than the minimum wage, do not pay tax, and may be doing dangerous work that breaks health and safety regulations. Employers who use illegal workers may do so because they want to avoid providing minimum standards, such as the National Minimum Wage and paid holidays. This is harmful to the workers involved and enables dishonest employers to gain an unfair advantage over competitors who operate within the law”.

Illegal workers include: -

- students with expired visas
- students working more hours than they are allowed to
- persons who work on a visitor's only visa
- persons who have illegally entered the UK

IMMIGRATION, ASYLUM & NATIONALITY ACT 2006 (KNOWN AS THE 2006 ACT)

The following information is freely available on the Home Office UKBA website and is summary guidance for employees and Human Resources (HR) staff involved in recruiting people and aims at preventing illegal working in the UK: -

It contains important information and advice on:

- *the law on illegal working*
- *your role and duty as an employer*
- *the document checks you should carry out*
- *the various documents you could be given*
- *the various types of immigration statuses held by people; and*
- *the consequences if you do not carry out your duty and UKBA find you employing an illegal worker.*

THE LAW AND YOUR DUTY AS AN EMPLOYER

"The law on preventing illegal working is set out in sections 15 to 25 of the 2006 Act.

These rules came into force on 29th February 2008.

You are breaking the law if you employ a person who does not have the right to work in the UK.

You can be fined up to £20,000 for each illegal worker or face criminal prosecution."

YOUR DUTY UNDER THE 2006 ACT

"Under the 2006 Act you have a duty to prevent illegal working by carrying out document checks to confirm if a person has the right to work in the UK.

You should check and keep copies of original, acceptable documents before someone starts working for you.

If a person has a time limit on their stay then you should carry out repeat checks at least once every 12 months.

If a person has a restriction on the type of work they can do and, or, the amount of hours they can work, then you must not employ them in breach of these restrictions.

You should also verify that a person has the right to work when certain documents or scenarios are presented to you.

You can find out more about carrying out document checks in the section 'Right to work document checks'.

This duty applies to anyone who starts working for you on or after 29 February 2008."

PENALTIES IF YOU FAIL TO CARRY OUT YOUR DUTY

If you do not carry out these checks you may be required to pay a fine, known as a civil penalty, under Section 15 of the 2006 Act if you employ an illegal worker.

An illegal worker is defined as someone who:

- *is subject to immigration control; and*

- *is aged over 16; and*

- *is not allowed to carry out the work in question because either they have not been granted leave to enter or remain in the UK or because their leave to enter or remain in the UK:*

is invalid,

has ceased to have effect (meaning it no longer applies) whether by reason of curtailment, revocation, cancellation, passage of time or otherwise, or

is subject to a condition preventing them from accepting the employment.

A civil penalty up to a maximum amount of £20,000 for each illegal worker can be imposed on you.

We can serve you with a Notice of Liability to pay a penalty for a specific amount on behalf of the Secretary of State."

A Notice of Liability has since been replaced by a Referral Notice.

CRIMINAL OFFENCES COMMITTED

THE IMMIGRATION ACT 1971 (EMPLOYEE)

1) Offence: Enter/remain in the UK without leave contrary to Section 24(1)(a)

Penalty: Six months imprisonment and / or a fine not exceeding level five (£5,000) on the standard scale.

2) Offence: Knowingly remaining beyond the time limited by leave (described by UKBA as being "overstayers" or "overstaying" in the UK) contrary to Section 24(1)(b)(i)

Penalty: Six months imprisonment and / or a fine not exceeding level five (£5,000) on the standard scale.

A person commits the offence on the day when he or she first knows that leave to enter or remain has expired, and continues to commit it until such time as his or her position is regularised, for example through a further grant of leave in any category.

Mustafa Dost is also liable for the offence of aiding and abetting an employee to remain in the UK without leave as he is providing job opportunities for such migrants.

THE IMMIGRATION, ASYLUM & NATIONALITY ACT 2006 (EMPLOYER)

1) Offence: Employ adult subject to control who had not been granted leave to enter / remain in UK contrary to Section 21

Penalty: Indictment - imprisonment for a term not exceeding two years, a fine, or both.

Summary - imprisonment for a term not exceeding 12 months in England and Wales or 6 months in Scotland or Northern Ireland, a fine, or both.

2) Section 18: Enforcement

1) A sum payable to the Secretary of State as a penalty* under Section 15 may be recovered by the Secretary of State as a debt due to him.

** Where a breach of Section 15 has occurred on or after 16th May 2014, the maximum civil penalty amount that can be imposed increased from £10,000 to £20,000 per illegal worker.*

SECTION 10 OF THE IMMIGRATION & ASYLUM ACT 1999

Section 10 contains the provisions under which certain categories of people who are in the UK unlawfully may be subjected to administrative removal procedures.

A person who is not a British citizen may be removed from the UK, in accordance with directions given by an immigration officer,

If:

He/she does not observe a condition of his limited leave to enter/remain or remains beyond the period of his limited leave.

THE LICENSING ACT 2003

1) Offence: Section 136

A) Carry on or attempt to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation i.e. a Premises Licence and the conditions which form part of it

OR

B) Knowingly allow a licensable activity to be so carried on.

The offences are considered so serious that the penalties are: -

- 1) A fine of up to £20,000 and/or a term of imprisonment on summary conviction not exceeding 6 months.
- 2) All alcohol and containers may be forfeited and destroyed.
- 3) The Premises Licence may be reviewed under Section 51.
- 4) Suspension or forfeiture of a Personal Licence.

2) Offence: Failing to produce the Premises Licence for inspection by a constable or authorised person contrary to Section 57.

Penalty: Summary – Level 2 fine not exceeding £500.

During a licensing enforcement visit on **22nd November 2013** Mustafa Dost was required to produce the Premises Licence but was unable to do so.

CCTV images of an incident which took place on **14th November 2013** were also requested whereby a person caused criminal damage to the foyer at the Golden Lion and assaulted a staff member at a Chinese takeaway opposite the premise.

The suspect was aged 17 years and very drunk.

Mustafa Dost was unable to record CCTV images nor produce them to the police on request in contravention of the licence..

He was advised to rectify this immediately and if he failed to do so the premise would be served with a Closure Order next week.

Several recent incidents have taken place whereby it was necessary to obtain CCTV images to assist in the investigation of a number of offences which had occurred at the venue.

On each occasion those images have not been supplied to the police.

CLOSURE NOTICE UNDER SECTION 19 OF THE CRIMINAL JUSTICE & POLICE ACT 2001

(1) Where a constable is satisfied that any premises are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of, the premises, he may serve under subsection (3) a notice in respect of the premises.

3) A notice under subsection (1) shall be served by the constable concerned on a person having control of, or responsibility for, the activities carried on at the premises.

On **29th November 2013** Divisional Licensing Officers served a Closure Notice on Mustafa Dost for operating in contravention of the conditions of the licence i.e. there was no DPS in place authorising alcohol sales.

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Following an audit of the fire safety arrangements on **9th April 2014** by the area Watch Manager of the Fire & Rescue Authority it was noted that Mustafa Dost failed to abide by a number of requirements of the order.

1) Offence: Fail to comply with the requirements imposed by The Fire Safety Order.

Penalty: Indictment - a fine, or imprisonment for a term not exceeding two years, or both.

Summary - a fine not exceeding the statutory maximum.

One will note that the penalties for employing illegal migrants, committing the most serious of licensing offences and non-compliance with fire safety regulations are extremely severe but this has not deterred Mustafa Dost.

Offences committed under the Immigration Acts directly relate to the Licensing Act as guidelines concerning reviews in connection with crime detail that certain immigration offences should be treated very gravely and give rise for review.

REVIEWS - GENERAL

A considerable number of premises within the borough have been subject of varied enforcement and licence holders have been given advice, received verbal and written warnings, and had meetings with South Wales Police which are designed to make management aware of police concerns to encourage them to address the problems being experienced or placed on action plans in order to promote the objectives.

There have also been prosecutions resulting in offenders receiving substantial fines as well as having their

Personal Licences suspended.

Ultimately the review procedure has also been utilised and restricted conditions have been appended to licences including a reduction of opening hours.

A number of authorisations have also been suspended and revoked.

South Wales Police however, feel that the mindset of the management is such that review is the most appropriate form of enforcement.

There are approximately 530 premises within the borough which are licensed and additionally hundreds of Temporary Event Notices i.e. short term licences known as TEN's have been authorised for events.

The Licensing Sub-Committee should also note that reviews have had an extremely positive effect on licence holders who have not had their authorisation revoked as they have caused them to manage their venues more responsibly, conscientiously and professionally thereby promoting the objectives which in turn has led to a very substantial reduction in reported incidents at those premises, particularly violent crime.

ENGAGEMENT WITH THE LICENCE HOLDER AND ENFORCEMENT ACTION

Home Office guidance under Section 182 of the Act relates to Section 11 "**Reviews**".

Paragraph 11.11 indicates that, "**It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, responsible authorities and any other persons in pursuit of common aims. Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holder's early warning of their concerns and the need for improvement, and where possible they should advise the licence holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.**"

Responsible authorities have attempted to rectify given situations at premises failing to promote the licensing objectives by convening meetings and engaging in various forms of enforcement highlighted within the review.

DOCUMENTATION SERVED BY SOUTH WALES POLICE ON MUSTAFA DOST

Warning letters were served on **29th September 2014**, **13th** and **22nd January 2015** which have been very clear and highlight that the licence may be reviewed.

An Action Plan was given on **12th January 2015** yet he had to be served with a final warning letter on **13th February 2015**.

It is quite clear that Mustafa Dost has paid no attention to these warnings or the Action Plan.

DOCUMENTATION SERVED BY SOUTH WALES POLICE ON PREVIOUS LICENCE HOLDERS

A warning letter was served on the original licence holder on **18th October 2010**.

In **2013** warnings were given to successive licensees on **21st March**, **3rd May**, **21st October** and **20th November** however; the latter warning also concerned Mustafa Dost.

PIZZA BELLA, 80 MACKWORTH ROAD, PORTHCAWL CF36 5BT

Pizza Bella is referred to as it is felt that disclosure of information relating to this takeaway is necessary for the promotion of the licensing objectives.

Mustafa Dost has a strong connection with *Pizza Bella* which was formerly known as *Kebabs Are Us*.

Similarly James Quantick also has an interest in *Pizza Bella* which is situated near the fair at Coney Beach, Porthcawl and pizzas, kebabs, burgers, chicken etc. are sold either over the counter or via a fast food delivery service.

There is no Premises Licence in place permitting any licensable activity however; as with the Golden Lion flyers and menus unashamedly advertise that the takeaway is (unlawfully) trading during the following times: -

Sunday to Thursday 5pm to 11.30pm.

Friday and Saturday 5pm to midnight.

Delivery time 5pm to midnight.

During enforcement visits to *Pizza Bella* serious and like offences have been detected of providing hot food without authorisation and Mustafa Dost has been given suitable advice.

In fact he was served with warning letters on **30th May 2011**, **11th June 2012** and **23rd July 2014**.

A warning letter was also served on James Quantick on **30th September 2014** as he had not only committed like offences at *Pizza Bella* but also at his other two takeaways highlighted below.

Just like the Action Plan, warnings given and the advice provided to Mustafa Dost at the Golden Lion all have fallen on deaf ears.

BUCCANEER BAR COMPLEX, MACKWORTH ROAD, PORTHCAWL CF36 5BY

Offending at this venue is disclosed as it is also believed that the information is essential for the promotion of the licensing objectives.

James Quantick has been given both verbal and written warnings for committing offences under the Licensing Act, the latter being served on **30th August 2013**.

However; due to incidents of disorder at the premise it was also subject of an Action Plan on **16th September 2013**.

Additionally an Environmental Health Officer had cause to issue him with a warning letter on **28th April 2014** as loud music from the venue amounted to a statutory nuisance.

James Quantick has therefore displayed a similar mindset to that of his business partner.

CHIPS 2 GO AND WIMPY BURGER BAR, MACKWORTH ROAD, PORTHCAWL

Both takeaways are referred to as it is also felt that disclosure of information is necessary for the promotion of the licensing objectives.

James Quantick also has an interest in both premises and the warning served on him on **30th September 2014** also related to providing hot food without a licence despite being given suitable advice not to operate after 11.00pm.

REVIEW RECOMMENDATIONS

As previously highlighted reviews represent a key protection for the community in respect of problems during the term of an authorisation.

Any decision made by the Sub-Committee must be taken following consideration of the representations received with a view to promoting the objectives.

In the case of a review the Sub-Committee may make a number of determinations which are highlighted within the guidance and the Officers Report.

The disclosures concern offences committed under the aforesaid acts which directly relate to the Licensing Act as the guidelines in relation to reviews in connection with crime detail that the immigration offences in particular should be treated very gravely and give rise for review.

CONCLUSION

Guidelines dictate that licensing authorities, the police and other law enforcement agencies will use the review procedures effectively to deter criminal activities one of which is the employment of a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter.

The guidance goes further and highlights that revocation of the licence, even in the first instance, should be seriously considered by Licensing Sub-Committees if it is determined that the premise is being used to further crimes which impacts on the crime prevention objective.

This is such a case as the takeaway is being used to commit offences under the Immigration Act and the Immigration, Asylum & Nationality Act.

Additionally the most serious of offences have also been regularly committed under the Licensing Act and there has been a gross failure to adhere to fire safety regulations.

Mustafa Dost has not only seriously failed to promote the objectives at the Golden Lion but has also committed grave licensing offences at *Pizza Bella*.

Similarly his business associate at the Golden Lion, James Quantick, has committed like offences at the *Buccaneer Bar Complex, Pizza Bella, Chips 2 Go and Wimpy*.

Indeed previous licence holders have also been responsible for the gross mismanagement of the Golden Lion.

South Wales Police respectfully suggest that the situation will not change and feel that the only option open which would address the systematic failures outlined in these submissions is to: -

REVOKE THE LICENCE.

Please tick ✓ yes

Have you made an application for review relating to these premises before?

☐

If yes, please state the date of that application

Day	Month	Year

If you have made representations before relating to these premises, please state what they were and when you made them.

18th MARCH 2011: JOINT SOUTH WALES POLICE/TRADING STANDARDS TEST PURCHASE OPERATION

Two bottles of WKD alcohol were sold to volunteers aged 14 and 15 years.

*Offence: Sale of alcohol anywhere to a person under the age of 18 years contrary to - Section 146 of the Licensing Act 2003.**Penalty: Level 5 fine. Maximum £5,000.*

The seller was dealt with by way of £80.00 penalty notice.

The Designated Premises Supervisor (DPS) and Premises Licence Holder (PLH) was convicted at Bridgend Magistrates Court for authorising the sale and received a fine.

14th SEPTEMBER 2011 - SUMMARY/EXPEDITED ("QUICK") REVIEW OF THE PREMISES LICENCEOn **14th September 2011** a substantial amount of Class A drugs to the value of approximately just over £30,000 were recovered from the premise during the execution of a search warrant.

Other offences had been committed at the premise and the drug seizure was in fact a "trigger" offence prompting South Wales Police to make application for an Expedited Review of the licence under Section 53(A) of the Licensing Act 2003.

A hearing took place on **15th September 2011** whereupon the Licensing Sub-Committee suspended the licence pending a full review hearing on **12th October 2011**.However; a pre-hearing agreement was subsequently reached with the barrister representing *GRS Pub Investments*, the licensee at the time, and 4 persons were banned from the premise, including the then DPS and joint licence holder, the other joint licensee, as well as the remaining staff members.

In short the police sought to remove those persons who it was suspected were linked to the drug seizure.

The following was also adopted as a condition of the authorisation: -

- 1) **CCTV will be a condition of the Premises Licence as per the "Special Conditions relating to the maintenance and installation of CCTV" document.**

It must be noted that the current licence holder was not involved with the premise in 2011.

Please tick / yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises license holder
- I understand that if I do not comply with the above requirements my application will be rejected

☐

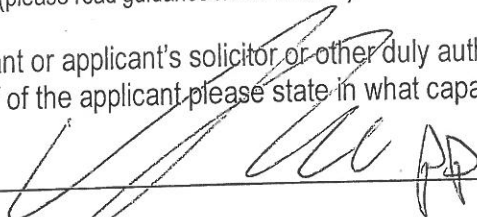
☐

It is an offence, liable on conviction to a fine of up to level 5 on the standard scale, under section 158 of the licensing act 2003 to make a false statement in or in connection with this application

Part 3 - Signatures (please read guidance notes 3 and 4)

Signature if applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature



Date 20th February 2015

Capacity **Chief Constable 4395 Vaughan**

Notes for guidance

1. The grounds for review must be based on one of the licensing objectives
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address we shall use to correspond with you about this application

GOLDEN LION AND ABERKENFIG
KEBAB & PIZZA HOUSE



Pen-y-bont ar Ogwr
Mwy Diogel



Safer Bridgend

www.saferbridgend.org.uk

APPLICATION FOR A REVIEW OF THE
PREMISES LICENCE

WARNING LETTERS

South Wales Police
Working with the Community



Heddlu De Cymru
Cydwethio Gyda'r Gymuned

CHIEF CONSTABLE

PETER VAUGHAN BSc Dip ACMP

PRIF GWYSTABL

Jason McGill
Licensing Sergeant 3705
Community Safety Partnership
Police Station
Brackla Street
Bridgend
CF31 1BZ
Ref: JM/B.3-9641/1
30th May 2011

Mustapha Dost
Kebabs R Us
80 Mackworth Road
Porthcawl
CF36 5BP

Sir,

OFFENCES UNDER THE LICENSING ACT 2003

South Wales Police attended at the premise at 23.50hrs on Friday 20th May 2011 after you requested police attendance in respect of a trial refusing to leave and causing problems after there was a dispute concerning the purchase of a kebab.

Premises which supply hot food or drink to paying customers between the hours of 23.00hrs and 05.00hrs for consumption on or off the premise require a Premises Licence under the Licensing Act 2003.

As you have been trading unlawfully you should submit an application for the grant of a Premises Licence under Section 17 indicating that you intend carrying out a licensable activity in the form of late night refreshment.

Until application for a Premises Licence has been received and approved you are unable to trade between 23.00hrs and 05.00hrs for the supply of hot food or drink

I have now requested that local officers monitor the premise in order to ensure that you are complying with the Act and have forwarded a copy of this correspondence to Inspector James who is the Senior Officer responsible for policing the area.

Under Section 136 of the Licensing Act 2003 it is an offence to: -

- A) Carry on or attempt to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation i.e. a Premises Licence and the conditions which form part of it

Or

- B) Knowingly allow a licensable activity to be so carried on,

The penalties in respect of the above are as follows: -

- 1) A fine of up to £20,000 and/or a term of imprisonment on summary conviction not exceeding 6 months.

If any further offences are committed in relation to the premises, under the provisions of the Licensing Act; this may result²
in you being prosecuted.

Under Section 185 of the Licensing Act 2003 concerning the investigation of a complaint in respect of licensed premises a
copy of this correspondence will also be disclosed to the Licensing Authority.

Yours faithfully,

Jason McGill
Licensing Sergeant 3705
Central West Division

South Wales Police
Working with the Community



Heddlu De Cymru
Cydweithio Gyda'r Gymuned

CHIEF CONSTABLE

PETER VAUGHAN BSc Dip ACMP

PRIF GWNSTABLL

R. Harris
Inspector 4656
Licensing Department
Community Safety Partnership
Police Station
Brackla Street
Bridgend
CF31 1BZ
Ref: RH.178/2
11th June 2012

Mustapha Dost
Bella Pizza
80 Mackworth Road
Porthcawl
CF36 5BT

Sir,

OFFENCES UNDER THE LICENSING ACT 2003

South Wales Police has noted that you are advertising hot food for sale from "BELLA PIZZA" 80 Mackworth Road, Porthcawl during the following opening times: -

Sunday to Thursday: 5pm – 11.30pm

Friday and Saturday: 5pm – 12 midnight

Additionally a delivery time of 5pm till midnight is detailed.

Premises which supply hot food or drink to paying customers between the hours of 11.00pm and 05.00am for consumption on or off the premise require a Premises Licence under the Licensing Act 2003.

This is unacceptable given that you were served with a warning letter in May 2011 for committing similar offences and advised to submit an application for the grant of a Premises Licence under Section 17 indicating that you intend carrying out a licensable activity in the form of late night refreshment.

Until application for a Premises Licence has been received and approved you are unable to trade between 11.00pm and 05.00am for the supply of hot food or drink.

Under Section 136 of the Licensing Act 2003 it is an offence to: -

A) Carry on or attempt to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation i.e. a Premises Licence and the conditions which form part of it

Or

B) Knowingly allow a licensable activity to be so carried on.

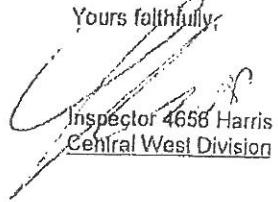
The offences in respect of the above are considered so serious the penalties are: -

1) A fine of up to £20,000 and/or a term of imprisonment on summary conviction not exceeding 6 months.

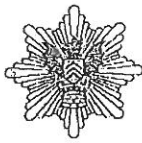
If any further offences are committed in relation to the premises under the provisions of the Licensing Act, South Wales Police will seek a prosecution

Under Section 185 of the Licensing Act 2003 concerning the investigation of a complaint in respect of licensed premises a copy of this correspondence will again be disclosed to the Licensing Authority.

Yours faithfully,



Inspector 4656 Harris
Central West Division



Mr Mustafa Dost
Mudo's
103 Bridgend Road
Aberkenfig
Bridgend
CF32 9AP

Our Ref:
Your Ref:

DH/ 01N-022-545/IN01

Date:

23 April 2014

Contact: Watch Manager Dave Hughes
Tel: 07919227735
E-mail: firesafety@southwales-fire.gov.uk

Dear Sir/Madam

**THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005
MUDO'S, 103 BRIDGEND ROAD, ABERKENFIG, BRIDGEND. CF32 9AP**

Following an audit of the fire safety arrangements at the above premises on 9 April 2014, the Fire and Rescue Authority is of the opinion that you have failed to comply with requirements imposed on you by The Fire Safety Order.

You should note that failure to comply with any requirement of the legislation is an offence and the person responsible is liable to prosecution. This letter and attached schedule are issued without prejudice to any legal action which may subsequently be taken regarding the failures to comply with the Legislation.

I confirm that the measures contained in the attached schedule are to be carried out to comply with the above legislation.

A further visit will be made to ensure that the requirements of the schedule have been implemented.

If you are in any doubt as to the obligations placed upon you by the legislation, or if there is any relevant matter upon which you require clarification, do not hesitate to contact the officer named above.

Yours faithfully

Signed

Print Name D Hughes

for Assistant Chief Fire Officer

cc Mr Mike Bright, Environmental Health Officer, Public Protection Department,
Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend.
CF31 4WB

Schedule of Works Required

1. Article 9. Risk Assessment.

1.1 A fire risk assessment has not been carried out.

- 1.1.1 Carry out a suitable and sufficient assessment of the risks to which relevant persons are exposed in order to identify the general fire precautions that need to be taken to comply with the requirements and prohibitions imposed by or under this Order.

General fire precautions include:-

- measures to reduce the risk of fire on the premises and the risk of the spread of fire on the premises.
- measures in relation to the means of escape from the premises.
- measures for securing that, at all material times, the means of escape can be safely and effectively used.
- measures in relation to the means for fighting fires on the premises.
- measures in relation to the means for detecting fire on the premises and giving warning in case of fire on the premises.
- measures in relation to the arrangements for action to be taken in the event of fire on the premises (instruction and training of employees and measures to mitigate the effects of the fire).

2. Article 13. Fire Fighting and Fire Detection.

2.1 The fire warning system is inadequate for the type and use of the premises

- 2.1.1 Provide a means of raising the alarm in the event of a fire occurring at the premises. An air-horn or hand bell or other similar device located behind the bar/servary area would suffice.

3. Article 17. Maintenance.

3.1 The emergency lighting is inadequately maintained.

- 3.1.1 Routine inspections and tests of the emergency lighting system should be undertaken on the basis of BS 5266: Part 8 which, among other things, indicates that tests should, wherever possible, be undertaken at time of minimum risk, and associated with inspections, at frequencies as follows:

- Daily check.
- Monthly test.
- Subsequent Annual Test.

The date of all such tests and any resulting maintenance of the emergency lighting system should be recorded in a log book with the exception of the daily test, where there are no faults or repairs found.

3.2 **The structural fire precautions are not adequately maintained.**

3.2.1 The intumescent hot and cold smoke seals to the bar entrance door were found to be damaged and are to be replaced.

4. **Article 21. Training.**

4.1 **Inadequate fire safety training is provided to enable employees to safeguard themselves and other persons on the premises**

4.1.1 The Responsible Person must ensure that the employee's safety training includes suitable and sufficient instruction and training on the appropriate precautions and actions to be taken by the employee in order to safeguard themselves and other relevant persons on the premises.

5. **Recommendations**

It is recommended that a 30 minute fire resisting door should be provided in the main entrance hallway leading to the staircase enclosure.

This door should conform to BS476 Pt 20, BS EN 1363 Pts 1 to 3. Compliance with this or an equivalent standard will normally satisfy the requirement

Should the accommodation on the first floor be used for a sleeping accommodation for staff members or guests a British Standard fire alarm must be provided.

It is recommended that consultation takes place with the fire authority and the fire alarm engineer prior to any installation of a fire alarm system.

Gwasanaethau Cyfreithiol a Rheoleiddiol
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Swyddfeydd Dinesig
Stryd yr Angel
PEN-Y-BONT AR OGWR
CF31 4WB

DX 151420
Pen-y-bont 6

Ffôn: 01656 643643

Rhowch 18001 cyn unrhyw un o'n rhifau ffôn ar
gyfer y gwasanaeth cyfnewid testun
Gwefan: www.bridgend.gov.uk

Cyngor Bwrdeistref Sirol



Legal and Regulatory Services
Bridgend County Borough Council
Civic Offices
Angel Street
BRIDGEND
CF31 4WB

DX 151420
Bridgend 6

Telephone: 01656 643643

Put 18001 before any of our telephone numbers
for the text relay service.

Website: www.bridgend.gov.uk

Direct line / Delalw Unlwgrychol: (01656) 643642

E-mail / E-bost: PUBLICPROTECTION@BRIDGEND.GOV.UK

Our Ref / Ein cyf: MJO/KE

Your Ref / Eich cyf: 167733

Ask for / Gofynnwch am: Mr M Jones

Direct fax / Delalw Ffacs: (01656) 643285

Date / Dyddiad: 28th April 2014

James Gregory Quantick

~~Redacted signature~~

Dear Mr Quantick

ENVIRONMENTAL PROTECTION ACT 1990
ALLEGED NOISE NUISANCE DUE TO LOUD MUSIC - BUCCANEER BAR,
MACKWORTH ROAD, PORTHCAWL, CF36 5BY

I am writing to advise you that complaints have been received by this Department alleging noise nuisance from loud music.

I would inform you this Department has statutory duties relating to noise nuisance which if established to amount to a statutory nuisance will result in the service of an Abatement Notice under Section 80 of the above legislation. Any contravention of the Notice will amount to an offence for which you can be prosecuted, with fines of up to £20,000 being imposed upon summary conviction in a Magistrate's Court. If you do not take steps to control the noise and prevent a public nuisance from occurring, the premises licence can be called in for review under 51 of the Licensing Act 2003. Copies of this letter have been sent to the council's Licensing Authority informing them of the recent complaints.

I must also inform you that this department runs an out of hour's service where a duty officer can be called out at any time to witness a statutory noise nuisance. I would therefore thank you in anticipation of ensuring that steps are taken to prevent a noise nuisance from occurring. In the meantime if you have any further queries regarding this matter, please do not hesitate in contacting me on the above telephone number.

Yours sincerely

Mr Matthew Jones, Environmental Health Officer

On behalf of **ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES**

Cc: Yvonne Witchell, Licensing Department, Bridgend County Borough Council
PC 2458 Kevin Ellis, Divisional Licensing Officer, Community Safety Partnership

ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES /

PRIF WEITHREDWR CYNORTHWYOL GWASANAETHAU CYFREITHIOL A RHEOLEIDDIOL
Mr. P. A. Jolley

10/10/10 10:10:10
10/10/10 10:10:10
10/10/10 10:10:10



Community Safety Partnership
Licensing Department
Police Station
Brackla Street
Bridgend
CF31 1BZ
B.3-321/3

23rd July 2014

Ramazan Karagoz

[Redacted]

Mustapha Dost

[Redacted]

Bella Pizza
80 Mackworth Road
Porthcawl
CF36 5BT

Sir,

OFFENCES UNDER THE LICENSING ACT 2003

Bella Pizza, 80 Mackworth Road, Porthcawl CF36 5BT

At 23.45 hours on Friday 18th July 2014 officers again noted that hot food was being served to a number of customers however; you are not authorised to provide late night refreshment, a licensable activity which requires a Premises Licence.

Premises which supply hot food or drink to customers between **23.00 hours and 05.00 hours** for consumption on or off the premise require a Premises Licence under the Licensing Act 2003.

You were served with warning letters in May 2011 and June 2012 for committing similar offences and advised to submit an application for the grant of a Premises Licence under Section 17 indicating that you intend carrying out a licensable activity.

You failed to make such an application and until an application has been received and approved you are unable to trade between those hours for the supply of hot food or drink.

Under Section 136 of the Licensing Act 2003 it is an offence to: -

A) Carry on or attempt to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation i.e. a Premises Licence and the conditions which form part of it

Or

B) Knowingly allow a licensable activity to be so carried on.

The offences in respect of the above are considered so serious the penalties are: -

1) A fine of up to £20,000 and/or a term of imprisonment on summary conviction not exceeding 6 months.

This is your third and final warning and I can now give you an assurance that if any further offences are committed in relation to the premise, under the provisions of the Act; South Wales Police will seek to have you prosecuted.

Under Section 185 of the Act concerning the investigation of a complaint in respect of licensed premises a copy of this correspondence will again be disclosed to the Licensing Authority.

A further copy will be sent to the Public Protection Department who are responsible for food hygiene.

Regards,

Sergeant 623 Williams



Community Safety Partnership
Licensing Department
Police Station
Brackla Street
Bridgend
CF31 1BZ
B.3-415

29th September 2014

Mustapha Dost

~~Mustapha Dost~~
~~Mustapha Dost~~
~~Mustapha Dost~~
~~Mustapha Dost~~
~~Mustapha Dost~~

Sir,

OFFENCES UNDER THE LICENSING ACT 2003

Late night refreshment houses i.e. premises supplying hot food or hot drink to customers between 23.00 (11.00pm) and 05.00 hours (05.00am) for consumption on or off the premise is a licensable activity known as late night refreshment which requires authorisation.

You are fully aware of the legislation having obtained an accredited licensing qualification which enabled you to obtain a Personal Licence in 2014.

Golden Lion & Mudos, 103 Bridgend Road, Aberkenfig, Bridgend

South Wales Police has received information that you are selling hot food at the premise and also making home deliveries without authorisation.

In fact the only licensable activities authorised by the licence are: -

Supply of alcohol
Live music
Recorded music

In short you are not licensed to sell hot food or drink between the above hours.

It is strongly suggested that as a matter of urgency you submit an application to vary the Premises Licences under Section 34 of the Act with a proposal to provide late night refreshment.

On 29th November 2013 Pc 5102 Rowlett served a Closure Notice on you under Section 19 of the Criminal Justice & Police Act 2001 for also operating in contravention of the conditions of the licence.

You should be mindful that South Wales Police has recently reviewed the licences of three premises

for failing to adhere to the conditions of the licence.

All three had their authorisations revoked and if the situation persists then similar action will be taken against you.

Pizza Bella, 80 Mackworth Road, Porthcawl

You received warning letters in 2011, 2012 and 2014 for trading without a licence at Pizza Bella.

Divisional Licensing Officers attended at the takeaway on Friday 26th September 2014 during the Elvis Festival and discussed the lawful trading hours with you, your colleague Ramazan Karagoz and the owner of the site, James Quantick.

You were all informed that the premise needed to be licensed however; despite these warnings and our advice you operated after 23.00 hours and James Quantick was subsequently instructed to close the takeaway immediately.

You must also submit an application for the grant of a Premises Licences under Section 17 of the Act and you should contact the Licensing Authority to discuss both applications.

Until both applications have been received and approved you are unable to sell hot food or drink between the aforesaid times.

Under Section 136 of the Licensing Act it is an offence to: -

A) Carry on or attempt to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation i.e. a Premises Licence and the conditions which form part of it

Or

B) Knowingly allow a licensable activity to be so carried on.

The offence is considered so serious that the penalties are: -

- 1) A maximum fine of £20,000 and/or a term of imprisonment on summary conviction not exceeding 6 months
- 2) All alcohol and containers may be forfeited and destroyed
- 3) The Premises Licence may be reviewed under Section 51
- 4) Suspension or forfeiture of a Personal Licence

If any further offences are committed, under the provisions of the Licensing Act; this may result in you being prosecuted.

Under Section 185 concerning the investigation of a complaint in respect of premises a copy of this correspondence will also be disclosed to the Licensing Authority.

Regards

Police Sergeant 623 Williams



Community Safety Partnership
Licensing Department
Police Station
Brackla Street
Bridgend
CF31 1BZ
B.3-412

30th September 2014

James Quantick



Sir,

Late night refreshment houses i.e. premises supplying hot food or hot drink to customers between 23.00 (11.00pm) and 05.00 hours (05.00am) for consumption on or off the premise is a licensable activity known as late night refreshment which requires authorisation.

During the Elvis weekend commencing Friday 26th September 2014 the following premises located at Mackworth Road which are under your jurisdiction were trading unlawfully: -

Pizza Bella
Chips 2 Go
Wimpy

The lawful trading hours were discussed with you on 26th September 2014 and that the takeaways need to be licensed however; you traded after 23.00 hours and you were subsequently instructed to close them immediately.

It is strongly suggested that as a matter of urgency you submit applications for Premises Licences under Section 17 of the Act and that you contact the Licensing Authority to discuss these applications.

Until the applications have been received and approved you are unable to trade between the aforesaid times.

Both this office and local officers will monitor these premises in order to ensure compliance with the Act.

Under Section 136 it is an offence to:-

- a) Carry on or attempt to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation e.g. a Premises Licence and the conditions which form part of it

OR

b) Knowingly allow a licensable activity to be so carried on

The offence is considered so serious that the penalty is: -

1) A maximum fine of up to £20,000 and/or a term of imprisonment on summary conviction not exceeding 6 months.

If any further offences are committed in relation to these takeaways, under the provisions of the Licensing Act; this may result in you being prosecuted.

Under Section 185 concerning the investigation of a complaint in respect of licensed premises a copy of this correspondence will also be disclosed to the Licensing Authority.

Regards,



Sergeant 623 Williams





Community Safety Partnership
Licensing Department
Police Station
Brackla Street
Bridgend
CF31 1BZ
01656 306022

B.3-2015/09

Tuesday, 13 January 2015

Mustafa DOST – DPS
Mudo's
103 Bridgend Road
Aberkenfig
BRIDGEND
CF32 9AP

CC: Mustafa DOST – PLH

Sir,

REQUEST FOR CCTV – Mudo's trading as the Golden Lion 103 Bridgend Road, Aberkenfig

This is a formal request to you as premises licence holder to provide a copy of the CCTV footage for the following date and times: -

From 22.45 hours on Friday the 19th December 2014 to 23.15 hours on Friday 19th December 2014.

Footage is required from all cameras positioned within the premise as well as the external cameras and cameras above the entry/exit point:-

The images are to be supplied to this office at the above address within 7 days of receipt of this letter.

May I remind you of the conditions of your premises licence under the crime and disorder objective are:-

1) The Premises Licence holder will retain and maintain the installation of digital CCTV at the premises to the satisfaction of the South Wales Police Crime Reduction Officer.

2) The system shall be maintained at all times the premises remains open to the public.

4) The Premises Licence Holder will install CCTV at or near to the entrance(s) and exit(s) to the premises and record ingress and egress of customers. CCTV will also be located in all other areas to which the public has access (excluding the toilet areas) but including areas leading to or directly outside the toilets.

9) The Premises Licence Holder must make recordings of images available on request to any officer of the South Wales Police in the course of their duties as soon as is reasonably practicable. Therefore adequate training will have to be provided to duty staff in order to comply with this condition.

Under Section 136 it is an offence to: -

A) Carry on or attempt to carry on a licensable activity on or from any premise otherwise than under and in accordance with an authorisation i.e. a premises licence and the conditions which form part of it

Or

B) Knowingly allow a licensable activity to be so carried on

The offences in respect of the above are considered so serious that the penalties are: -

1) A fine of up to £20,000 and/or a term of imprisonment on summary conviction not exceeding 6 months.

2) All alcohol and containers may be forfeited and destroyed.

3) The Premises Licence may be reviewed under Section 51.

4) Suspension or forfeiture of a Personal Licence.

Any contraventions of the licence will be dealt with robustly by this office.

Regards

Sergeant 623 Williams



Community Safety Partnership
Licensing Department
Police Station
Brackla Street
Bridgend
CF31 1BZ
01656 306022

B.3-2015/17

Thursday, 22 January 2015

Mustafa DOST – DPS
Mudo's
103 Bridgend Road
Aberkenfig
BRIDGEND
CF32 9AP

CC: Mustafa DOST – PLH

Sir,

REQUEST FOR CCTV – Mudo's trading as the Golden Lion 103 Bridgend Road, Aberkenfig

This is a formal request to you as premises licence holder to provide a copy of the CCTV footage for the following date and times: -

From 23.50 hours on Saturday the 17th January 2015 to 00.25 hours on Sunday 18th January 2015.

Footage is required from all cameras positioned within the premise as well as the external cameras and cameras above the entry/exit point:-

The images are to be supplied to this office at the above address within 7 days of receipt of this letter.

May I remind you of the conditions of your premises licence and Action Plan under the crime and disorder objective are:-

1) The Premises Licence holder will retain and maintain the installation of digital CCTV at the premises to the satisfaction of the South Wales Police Crime Reduction Officer.

2) The system shall be maintained at all times the premises remains open to the public.

4) The Premises Licence Holder will install CCTV at or near to the entrance(s) and exit(s) to the premises and record ingress and egress of customers. CCTV will also be located in all other areas to which the public has access (excluding the toilet areas) but including areas leading to or directly outside the toilets.

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- 1) A fine of up to £20,000 and/or a term of imprisonment on summary conviction not exceeding 6 months.
- 2) All alcohol and containers may be forfeited and destroyed.
- 3) The Premises Licence may be reviewed under Section 51.
- 4) Suspension or forfeiture of a Personal Licence.

Any contraventions of the licence will be dealt with robustly by this office.

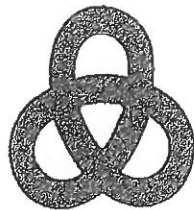
Regards

Sergeant 623 Williams

GOLDEN LION AND ABERKENFIG
KEBAB & PIZZA HOUSE



Pen-y-bont ar Ogwr
Mwy Diogel



Safer Bridgend

www.saferbridgend.org.uk

APPLICATION FOR A REVIEW OF THE
PREMISES LICENCE

ACTION PLAN

The Golden Lion, Bridgend Road, Aberkenfig.

ACTION PLAN 12/01/15- FOR 3 MONTHS

POLICE CONCERNS	ACTION TAKEN
<p>PREVENTION OF CRIME AND DISORDER</p> <p>Serious violence-</p> <ul style="list-style-type: none"> • Amount of serious assaults • Breach of licensing law 	<p>To be fully compliant with all parts of the Premises Licence and the licensing offences. To ensure staff fully understand its conditions and apply them at all times. To include training of all staff to be able to provide CCTV footage as per licence conditions.</p> <p>There were five recorded incidents of disorder or violence linked to the premises over the previous four weeks prior to January 2015. The number of disorder incidents is to be reduced significantly. Early intervention as highlighted in the Public Safety clause.</p> <p>Annex 2, condition 2 of the licence states, ' NO DISORDERLY CONDUCT SHALL BE PERMITTED WITHIN'.</p>
<p>PUBLIC SAFETY</p> <ul style="list-style-type: none"> • Challenging entrants • Failure to take appropriate preventative action to stop disorder inside 	<p>Any parties involved in disorder will be banned from the premises to prevent further problems.</p> <p>Staff are to consistently report all incidents of disorder. To use the 999 system in an emergency and 101 in respect of all low level incidents. To challenge intoxicated persons and refuse service and record such actions.</p> <p>Staff to be trained to monitor persons are drinking outside and advise them to return inside.</p>

PROTECTION OF CHILDREN FROM HARM <ul style="list-style-type: none"> • Previous incidents of underage 	<p>Ensure staff comply with the age verification policy as at Annex 1, condition 7/8. Discourage children from being in the bar.</p>
PREVENTION OF PUBLIC NUISANCE <ul style="list-style-type: none"> • Levels of intoxicated / aggressive customers 	<p>Noise. Ensure no excessive noise or inconvenience shall be caused to residents as at Annex 2, condition 5.</p>
LICENSABLE ACTIVITIES <ul style="list-style-type: none"> • Failure to comply with CCTV conditions of a Licence. 	<p>All CCTV conditions on the licence are at Annex 2 points 1 to 13.</p> <p>On two occasions during December, CCTV did not capture the incidents and for it could not be copied and supplied in order to support the PREVENTION OF CRIME AND DISORDER OBJECTIVE. E.g. CCTV at or near to the entrances and exits to the premises to record ingress and egress of customers.</p> <p>At all times staff are to be fully compliant with all CCTV conditions and suitably trained. This will be subject of dip sample compliance to test compliance with Action Plan.</p>

Owner of Action plan (print name and sign) Mustafa Doss POLICE

(S) THIES

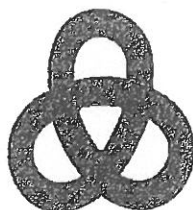
Must be completed and Must be in place By Monday 15th Jan 2015, (Signed) Blanchard 25102

Copy held and signed on premises and with Bridgend Licensing Team, Bridgend Police Station.

GOLDEN LION AND ABERKENFIG
KEBAB & PIZZA HOUSE



Pen-y-bont ar Ogwr
Mwy Diogel



Safer Bridgend

www.saferbridgend.org.uk

APPLICATION FOR A REVIEW OF THE
PREMISES LICENCE

MENUS/FLYERS

Extras

CHIPS	SML £1.50
CHIPS WITH ANY SAUCE	SML £1.70
1KG, TOMATO, GARLIC, MAYO, MINT & CHILLI	LRG £2.20
CHIPS & CHEESE	LRG £3.90
CHIPS & PASTA	LRG £2.50
CHIPS & COLESLAW	LRG £2.50
CHIPS & CURRY	LRG £2.50
SAUSAGES & CHIPS	LRG £2.50
CHIPS, CHEESE & BEANS	LRG £1.90
ONION RINGS (10)	LRG £2.00
POTATO WEDGES	LRG £1.20
COLESLAW	LRG £1.20
BEANS OR CURRY POT	LRG £1.50
SIDE SALAD	LRG £1.50
SCAMPI	LRG £3.50
GARLIC MUSHROOMS (13)	LRG £3.50
TURKISH CHEESE ROLL 3 PCS	LRG £2.70
6 PCS	LRG £3.20

Garlic Bread

GARLIC BREAD	£2.00
GARLIC BREAD WITH CHEESE	£3.00
ADD A TOPPING ON GARLIC BREAD AND CHEESE FOR	£1.00
MEAT: HAM, PEPERONI, SPICY BEEF, SPICY CHICKEN,	
BBQ CHICKEN, SAUSAGE, MEATBALLS, DONER	
& TANDOORI CHICKEN	
VEGETABLES & OTHERS: CHEESE, ONIONS,	
MUSHROOMS, GARLIC, SWEETCORN, PEPPERS,	
JALAPENOS, TOMATOES & PINEAPPLE	

Chicken

3 CHICKEN STRIPS	£2.90
6 CHICKEN STRIPS	£5.40
9 CHICKEN STRIPS	£7.20
6 CHICKEN NUGGETS	£2.50
10 CHICKEN NUGGETS	£3.50

Dips

CHILLI, BBQ, MINT, GARLIC,	£0.80
MAYONNAISE & KETCHUP	

Desserts

CHOCOLATE FUDGE CAKE	£2.50
STRAWBERRY CHEESE CAKE	£2.50
BEN & JERRY'S 500ML TUB	£5.00
ICE CREAM	LRG £4.30
JOE'S ICE CREAM	
(STRAWBERRY, CHOCOLATE, VANILLA & MINT)	

Drinks

CANS	£0.90
FANTA, 7UP, COKE, DIET COKE, DR PEPPER, LIT, CHERRY	
BOTTLE 1.5LITR	£2.00
FANTA, COKE, DIET COKE & PEPSI	
FRUIT SHOOT	£0.80
YAZOO MILKSHAKE	£1.20
STRAWBERRY, CHOCOLATE & BANANA	
ENERGY DRINK	£1.20

Specials

PIZZA SPECIAL 1 - £15.90 ANY 2 X 10" PIZZAS WITH ANY 3 TOPPINGS, ONION RINGS, BOTTLE OF PEPSI & LARGE CHIPS	PIZZA SPECIAL 2 - £18.90 ANY 2 X 12" PIZZAS WITH ANY 3 TOPPINGS, ONION RINGS, BOTTLE OF PEPSI & LARGE CHIPS
PIZZA SPECIAL 3 - £20.90 ANY 2 X 14" PIZZAS WITH ANY 3 TOPPINGS, ONION RINGS, BOTTLE OF PEPSI & LARGE CHIPS	PIZZA SPECIAL 4 - £17.90 2 CHICKEN STRIPS, 1 CHIPS, 1 X 12" PIZZA WITH ANY 3 TOPPINGS, BOTTLE OF PEPSI & GARLIC BAGUETTE
KEBAB SPECIAL 1 - £20.90 2 X LRG DONER KEBABS 3 CHICKEN STRIPS, 1 PORTION POTATO WEDGES, ONION RINGS, BOTTLE OF PEPSI & GARLIC BAGUETTE	KEBAB SPECIAL 2 - £20.00 MEDIUM DONER KEBAB, MEDIUM CHICKEN MEAT & CHIPS, ONION RINGS, 1 X 10" PIZZA WITH ANY 2 TOPPINGS, 1 POT OF COLESLAW, BOTTLE OF PEPSI & GARLIC BAGUETTE
FAMILY MEAL 1 - £21.90 1/4 LB CHEESE BURGER, 3 CHICKEN STRIPS, 10" PIZZA WITH 3 TOPPINGS, SMALL DONER KEBAB, ONION RINGS, 2 X CHIPS & BOTTLE OF PEPSI	FAMILY MEAL 2 - £24.90 CHICKEN BURGER, 4 CHICKEN STRIPS, 12" PIZZA WITH 3 TOPPINGS, LARGE DONER KEBAB, 2 X CHIPS, ONION RINGS & BOTTLE OF PEPSI

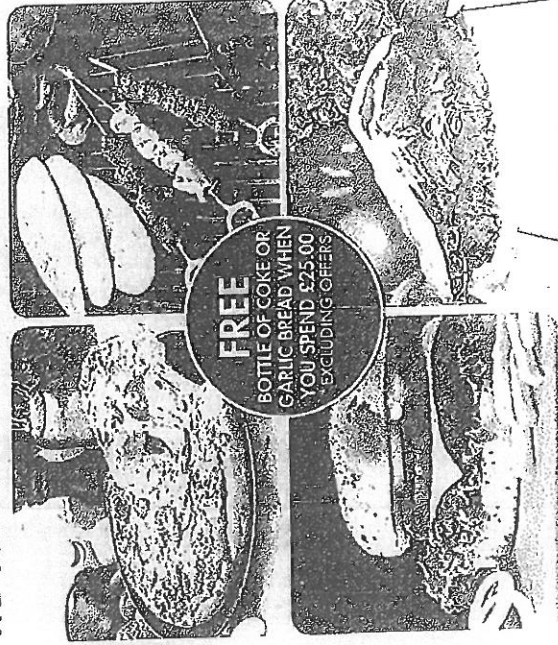
Children's Corner

HAMBURGER, CHIPS & FRUIT SHOOT	£3.50
SAUSAGE, CHIPS & FRUIT SHOOT	£3.50
4 NUGGETS, CHIPS & FRUIT SHOOT	£3.50
3 FISH FINGERS, CHIPS & FRUIT SHOOT	£3.50
DONER MEAT, CHIPS & FRUIT SHOOT	£4.00

PIZZAS • KEBABS • BURGER • CHICKEN

OPEN 7 DAYS A WEEK, MONDAY - SUNDAY, 11AM - 11PM
 DELIVERY: 30-40 MINUTES, WITHIN 10 MILES, AFTER 11PM, DELIVERY CHARGES
 DELIVERY TIME: MONDAY - SUNDAY, 11AM - 11PM

WE USE AN AUTHENTIC CHARCOAL GRILL



ANY 2 X 10" PIZZAS FOR ONLY £11.90 OFFER NOT VALID ON HOLIDAYS

ANY 2 X 12" PIZZAS FOR ONLY £14.90 OFFER NOT VALID ON HOLIDAYS

ANY 2 X 14" PIZZAS FOR ONLY £17.90 OFFER NOT VALID ON HOLIDAYS

103 BRIDGEND ROAD, ABERKENFIG, CF32 9AP
 01656 85 67 12

Kebabs

ALL KEBABS SERVED WITH FRESH SALAD, SAUCE & PITA BREAD. PLEASE ASK FOR SALAD & SAUCE SELECTION, OTHERWISE NO SALAD OR SALAD WILL BE ADDED. YOU WILL RECEIVE A COMPLETELY PLAIN KEBAB.

	SMALL	LARGE
LAMB DONER KEBAB	\$4.50	\$5.50
CHICKEN DONER KEBAB	\$4.70	\$5.70
BEEF DONER KEBAB	\$4.70	\$5.70
LAMB DONER MEAT & CHIPS	\$4.70	\$5.70
CHICKEN DONER MEAT & CHIPS	\$4.70	\$5.70
CHICKEN CURRY & CHIPS	\$5.00	\$6.00
BEAF MEAT & CHIPS	\$4.70	\$5.70
TRAY OF DONER MEAT	\$4.00	
DONER MEAT IN BUN	\$3.50	

Authentic Charcoal Grill

ALL KEBABS SERVED WITH FRESH SALAD, SAUCE & PITA BREAD.

KOFTI	\$5.00
GRILLED WINGS	\$5.00
CHICKEN SHISH	\$5.50
GRILLED CHICKEN BREAST	\$6.00
LAMB SHISH	\$6.00

Combination Kebabs

DIAMOND KEBAB 1	\$7.50
CHICKEN SHISH & LAMB DONER	
DIAMOND KEBAB 2	\$7.90
CHICKEN SHISH & LAMB SHISH	
SPECIAL CHICKEN SHISH	\$7.50
MUSHROOM & FRIED ONIONS	
HOUSE SPECIAL	\$11.90
LAMB SHISH, CHICKEN SHISH, KOFTE SHISH, LAMB & CHICKEN DONER, FRIED ONIONS & MUSHROOMS	
CHICKEN SHISH & LAMB DONER	\$7.50
LAMB SHISH & LAMB DONER	\$7.50
LAMB SHISH & CHICKEN DONER	\$7.50
CHICKEN SHISH & CHICKEN SHISH	\$7.50
LAMB SHISH & KOFTE KEBAB	\$7.50
KOFTE KEBAB & LAMB DONER	\$7.50
KOFTE KEBAB & CHICKEN DONER	\$7.50
LAMB SHISH & CHICKEN SHISH	\$7.50
MIX GRILL CHICKEN, LAMB SHISH, KOFTE	\$9.90
FRIED ONIONS & FRIED MUSHROOMS	

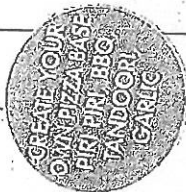
Wraps

CHICKEN SHISH WRAP	\$5.50
LAMB DONER WRAP	\$4.70
CHICKEN DONER WRAP	\$4.70
MIXED DONER WRAP	\$4.70
CHEESE & CHIPS WRAP	\$3.50
CHICKEN STRIPS WRAP	\$4.50
LAMB SHISH WRAP	\$4.00
KOFTE SHISH WRAP	\$5.00

Pizzas

	10"	12"	14"
MARGHERITA CHEESE & TOMATO	\$5.00	\$6.00	\$7.50
BBQ PIZZA CHEESE & BBQ SAUCE			
GARLIC PIZZA CHEESE & SPECIAL GARLIC SAUCE			
CHICKEN & MUSHROOM	\$6.00	\$8.00	\$10.00
PEPPERONI			
HAWAIIAN HAM & PINEAPPLE			
FARM HOUSE HAM, MUSHROOMS & ONION			
PEPPERONI PLUS PEPPERONI & MUSHROOMS			

PEPPERONI SUPREME	\$7.00	\$9.00	\$11.00
PEPPERONI, PEPPERONI, PEPPERONI			
HOT HAWAIIAN			
HAM, PINEAPPLE & JALAPENOS			
MEAT TREAT			
SPICY BEEF, SPICY CHICKEN & PEPPERONI			
HOT ONE			
SPICY BEEF, SPICY CHICKEN & JALAPENOS			
NEW YORK CITY			
HAM, JALAPENOS & MUSHROOMS			
AMERICAN SPECIAL			
HAM, SWEETCORN & PEPPERONI			
MEXICO CITY			
PEPPERONI, SPICY CHICKEN & JALAPENOS			
ITALIAN GRILL			
SPICY BEEF, HAM & FRESH TOMATOES			
TUNA TUNA			
SPICY BEEF, PEPPERONI & FRESH TOMATOES			
DELLA CASA			
SPICY CHICKEN, MUSHROOMS & SWEETCORN			



	10"	12"	14"
EXTRA TOPPINGS	\$0.70	\$1.00	\$1.50
MEAT: HAM, PEPPERONI, SPICY BEEF, SPICY CHICKEN, BBQ CHICKEN, SAUSAGE, MEATBALLS, DONER			
TANDOORI CHICKEN, ANCHOVIES & TUNA			
VEGETABLES & OTHERS: CHEESE, ONIONS, MUSHROOMS, GARLIC, SWEETCORN, PEPPERS, JALAPENOS, TOMATOES, PINEAPPLE, CHILI FLAKE, BLACK OLIVES & HERBS			
CHALZONE	\$7.50	\$9.50	\$10.50
CHOOSE ANY OF THE ABOVE PIZZAS AS A CALZONE			
GARLIC PIZZA (PLAIN)	\$4.00	\$6.00	\$7.00
GARLIC PIZZA (WITH CHEESE)	\$4.50	\$6.50	\$7.50
GARLIC PIZZA (WITH CHEESE & MUSHROOMS)	\$5.00	\$7.00	\$8.00

Burgers

	WITH CHIPS
1/4 POUNDER	\$3.00
1/4 POUNDER	\$3.70
TRIPLE BURGER	\$4.00
1/4 POUNDER TEXAS BURGER	\$3.70
(ONION RINGS & BBQ SAUCE)	
1/4 POUNDER TEXAS BURGER	\$3.70
(ONION RINGS & BBQ SAUCE)	
CHICKEN FILLET	\$3.70
DOUBLE CHICKEN FILLET	\$3.20
RANCH BURGER	\$4.70
IONION RINGS, PEPPERONI, CHEESE & BBQ SAUCE	\$4.70
MEXICANT BURGER	\$4.70
BEEF BURGER (WITH FRIED ONIONS)	\$3.70
BEEF BURGER	\$3.50
(WITH FRIED ONIONS & MUSHROOMS)	\$3.80
ABERKENFNG HOME MADE BURGER	\$4.00
HAWAIIAN BURGER	\$4.20
(1/4 BEEF BURGER WITH PINEAPPLE)	\$3.50
MIX BURGER	\$4.30
(CHICKEN & BEEF BURGER)	
1/4 VEGGIE BURGER	\$3.60
	\$4.50

Aberkenfng Meal Deals

MEAL 1 \$5.20	CHICKEN FILLET IN A BUN	FRIES & DRINK
MEAL 2 \$5.00	1/4 BEEF BURGER	FRIES & DRINK
MEAL 3 \$7.00	TRIPLE CHEESE BURGER	FRIES & DRINK
MEAL 4 \$5.90	1/2 BEEF BURGER	FRIES & DRINK
MEAL 5 \$6.20	DOUBLE CHICKEN BURGER	FRIES & DRINK
MEAL 6 \$6.70	CHICKEN STRIPS WRAP	FRIES & DRINK
MEAL 7 \$5.30	3 CHICKEN STRIPS	FRIES & DRINK
MEAL 8 \$7.50	6 CHICKEN STRIPS	FRIES & DRINK
MEAL 9 \$6.80	SMALL CHICKEN OR LAMB DONER KEBAB	FRIES & DRINK
MEAL 10 \$6.80	DONER WRAP	FRIES & DRINK
MEAL 11 \$5.60	10 PCS OF CHICKEN NUGGETS	FRIES & DRINK
MEAL 12 \$7.70	SMALL CHICKEN SHISH	FRIES & DRINK

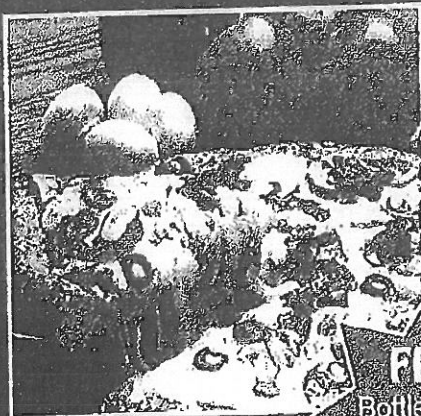
pizza

NEW
MENU

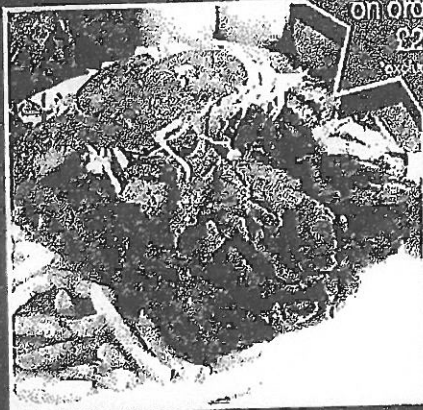
BELLA

PIZZAS • KEBABS • BURGER • CHICKEN

Open 7 Days, Sun-Thurs: 5pm - 11.30pm, Fri - Sat: 5pm - 12 midnight
Delivery Service - £1 Delivery charge within 2 miles, £1.50 after 2 miles
Delivery time: 5pm till midnight



FREE
Bottle of Coke
on orders over
£20.00
(excluding offer)



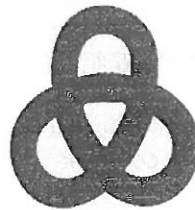
80 Mackworth Rd, Porthcawl, CF36 5BT

01656 77 37 71

GOLDEN LION AND ABERKENFIG
KEBAB & PIZZA HOUSE



Pen-y-bont ar Ogwr
Mwy Diogel



Safer Bridgend

www.saferbridgend.org.uk

APPLICATION FOR A REVIEW OF THE
PREMISES LICENCE

OCCURRENCES

2015

- 07/02/2015 01.50 Large disturbance and premise open outside the authorised hours of 01.30
- 07/02/2015 23.30 Hot food being cooked after 23.00 hours
- 06/02/2015 23.59 Hot food being supplied without authorisation (i.e. the licence does not permit the provision of hot food)
- 31/01/2015 23.20 Hot food being supplied without authorisation
- 25/01/2015 00.50 Hot food being supplied without authorisation
- 24/01/2015 00.30 Hot food being supplied without authorisation
- 18/01/2015 00.20 Common Assault. Contravention of a number of conditions concerning CCTV which could not be supplied
- 09/01/2015 23.30 Hot food being supplied without authorisation

2014

- 19/12/2014 23.38 Fighting. Two customers arrested for public disorder. Additionally a 14 year old female was in the bar consuming alcohol
- 19/12/2014 23.08 Fighting. A customer had facial injuries and was extremely intoxicated. Additionally again staff could not supply CCTV images
- 05/12/2014 20.33 Common Assault. A customer had facial injuries and was extremely intoxicated. CCTV images could not be supplied
- 30/10/2014 17.10 Licence holder reporting racially aggravated harassment from a customer
- 21/08/2014 21.32 Domestic situation where a customer (suspect) is described by officers as intoxicated
- 05/08/2014 21.20 Customer causing disturbance
- 24/05/2014 01.11 Male kicking window. Officers noted a customer (witness) was intoxicated
- 22/02/2014 01.10 Criminal Damage. Two males kicked the internal bar door open and attacked one of the customers
- 07/03/2014 19.09 UK Borders executed a warrant and arrested a Turkish migrant working at the takeaway as he had "overstayed" the terms of his UK visa
- 09/02/2014 01.30 Common Assault

2013

19/12/2013 19.47 Ambulance required assistance for an intoxicated female who had fallen

29/11/2013 15.00 A Closure Notice was served on Mustafa Dost whilst at the premise for contravening the conditions of the licence as there was no DPS in place authorising alcohol sales and the Licensing Authority had not granted consent in respect of the structural alterations being undertaken in the lounge (condition 6) which now resembled a fast food takeaway

22/11/2013 15.00 A number of offences were detected following a licensing visit: Failing to provide a certified copy of the licence, no DPS in place authorising sales of alcohol, CCTV was not working, the Licensing Authority had not consented to the considerable structural modifications of the lounge

14/11/2013 23.30 Mustafa Dost was working at the time when the following seven offences were committed by a 17 year old male who was intoxicated: -

Racially Aggravated Common Assault
Criminal Damage to a window of a flat
Four incidents of criminal damage to vehicles
Criminal damage to a motor cycle

20/10/2013 11.35 UK Borders executed a warrant and arrested an Indian national as he had illegally entered the UK and had absconded. Mustafa Dost was working at the time of the visit

MEMORANDUM COFNOD

Appendix B



From: **ASSISTANT CHIEF EXECUTIVE
LEGAL AND REGULATORY SERVICES**

To: **ASSISTANT CHIEF EXECUTIVE
LEGAL AND REGULATORY SERVICES
FAO – Yvonne Witchell – Licensing & Registration Officer**

our ref.
MJO/KE

ext. no.
3642

your ref.

date
6 March, 2015

LICENSING ACT 2003

APPLICATION UNDER SCHEDULE 8 FOR OF A REVIEW OF A PREMISES LICENCE

APPLICANT: THE GOLDEN LION & ABERKENFIG KEBAB AND PIZZA HOUSE, 103
BRIDGEND ROAD, ABERKENFIG, CF32 9AP

The above application has been examined by this Department in its role as a Responsible Authority. Consideration has been given to issues in connection with the Health & Safety at Work Etc Act 1974, pollution of the environment harm to human health and protection of children. I can advise you that the Department has the following relevant representations to make from Trading Standards :-

Following review of the details, I fully support the review presented in light of the breaches highlighted. Although TS have no relevant further input, we are concerned as to the mention of underage persons being present when occurrences have been dealt with.

It would appear that based on the many licensing breaches, along with evidence surrounding the use of illegal workers, then these authorities may then wish to present representations surrounding these relevant factors.

Analysis of the TS database reveals no record of the exercise concerning the mention of an operation in March 2011. This conveys that TS and South Wales police worked together on such an exercise, but no evidence can be located on this point about our involvement.

If you have any queries regarding this matter, please do not hesitate in contacting Carl Window, Principal Trading Standards Officer on 01656 643238

Mr Matthew Jones, Environmental Health Officer

On behalf of **ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES**

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Licensing Enforcement representations in support of an application for review of a premises licence

Licensing Enforcement of Bridgend County Borough Council supports the application made by South Wales Police to review the premises licence of the Golden Lion & Aberkenfig Kebab & Pizza House (Mudo's), 103 Bridgend Road, Aberkenfig and make the following representation.

1. Introduction

Licensing Enforcement Officers are responsible for the enforcement of conditions set on Premises Licences under the Licensing Act 2003. The team is also responsible for investigating licensing related complaints received by the Council.

2. Concerns over management of the premises under the Licensing Act 2003

The service notes the evidence of South Wales Police and shares the concern that the Golden Lion & Aberkenfig Kebab & Pizza House (Mudo's) is failing to promote the licensing objectives.

Summary

On 28 February 2014 a complaint was received from a member of the public alleging that children were purchasing alcohol from the premises and on the 28 April 2014 a complaint was received alleging the premises was trading and serving hot food up until 01:30 hours, the premises has no licence for late night refreshment, therefore, must cease serving hot food and drink between the hours of 23:00 and 05:00.

Mr Dost assumed responsibility for the premises in December 2013. In January 2014 information was received that the DPS was no longer at the premises and the person named as DPS on the Premises Licence did not have day to day control of the alcohol. On 08 January 2014 Licensing Enforcement Officers visited the premises and advised Mr Dost to cease the sale of alcohol with immediate effect, until a time when a Variation of DPS application had been submitted to the Licensing Authority, subsequently on the same day (08 January 2014) an application was submitted.

During the visit on 08 January 2014 Mr Dost was also advised that he had no Notification under the Gambling Act 2005 in place, even though Gaming

Machines were switched on and available for use in the bar area. Mr Dost was advised to turn the machines off until a Notification had been granted. To date no application has been received, yet Mr Dost still has Gaming machines on the premises which are available for use.

Mr Dost obtained his Personal Licence on 11 February 2014 and subsequently became DPS as well as PLH

The premises has substantially been altered since Mr Dost became PLH.

Premises Licence for the premises states in Paragraph 6 of Annex 2 – Conditions Consistent with the Operating Schedule States:

“No structural alterations or alteration to the layout of the premises including ceiling and wall linings shall be carried out without the consent of the Licensing Authority”.

This condition appears to have been contravened as during a recent visit by Licensing Enforcement it was seen that the lounge of the premises had been substantially altered from a lounge bar to a fully functioning kebab sit down and takeaway shop

The Premises Licence also refers to the area where the Kebab shop is sited as a “Lounge”.

Mr Dost has failed to inform the Licensing Authority of any changes to the premises.

A further issue to consider is that the Kebab Shop is operating within a licensed area, therefore, allowing children to enter a licensed premises without being accompanied by an adult, in addition gaming machines could also be sited, under the on licence exemption and accessed by children.

3. Conclusion

In light of the above, Licensing Enforcement has no confidence that the management of the Golden Lion & Aberkenfig Kebab & Pizza House (Mudo's) is effectively promoting the Licensing Objectives under the Licensing Act 2003.

This review is welcomed as a means of identifying the most appropriate way to ensure that these concerns are addressed.

Fiona Colwill
Licensing Enforcement Officer

Rachel Morris

From: Fiona Colwill
Sent: 07 April 2015 12:07
To: licensing
Cc: Rachel Morris; Yvonne Witchell; LICENSINGBRIDGEND@south-wales.pnn.police.uk; 'Kevin.Ellis@south-wales.pnn.police.uk' (Kevin.Ellis@south-wales.pnn.police.uk)
Subject: FW: Golden Lion / Mudos
Attachments: Mudo's Grill 19 08 14.docx

Good Afternoon

Please find below additional information which is relevant to the Review for Mudo's/Golden Lion

Regards

Fiona Colwill
Licensing Enforcement Officer
Legal & Regulatory
Public Protection
Civic Offices
Angel Street
Bridgend
CF31 4WB

Tel: 01656 643180

Text phone | Ffon testun: 18001 01656 **643180**

From: Paddy Horan
Sent: 07 April 2015 12:05
To: Fiona Colwill
Subject: Golden Lion / Mudos

Dear Fiona

The new business owner has failed to complete the registration for provided by Diane Thomas the inspecting officer.

However her inspection letter dated 19th August 2014 details the change in the business under para 1 confidence in management.

1. At the time of the inspection you advised that Mr Onder Akin has recently taken over the business. You advised that the business is leased from Mr Dost however he has nothing to do with the running of the business. As discussed on site as you are a new food business operator you must register your business with this department. This should be done prior to trading. A registration form was left on site however this has not been completed and returned. Please can you complete the registration form and return to this department.

Regulation (EC) No 852/2004 Article 6(2)

The business is called Aberkenfig Kebab House on APP

Paddy

Patrick Horan M.Sc.
Food Safety Technical Officer
Public Protection
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB
Tel. 01656 643253
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Peidiwch ag argraffu'r neges e-bost hon oni bai fod hynny'n gwbl angenrheidiol.

STATEMENT OF WITNESS
(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

STATEMENT OF: Diane Thomas

Age of witness (if over 18 enter "Over 18"): Over 18

Occupation of witness: Environmental Health Officer

This statement, consisting of 2 page(s) each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 9th day of April 2015

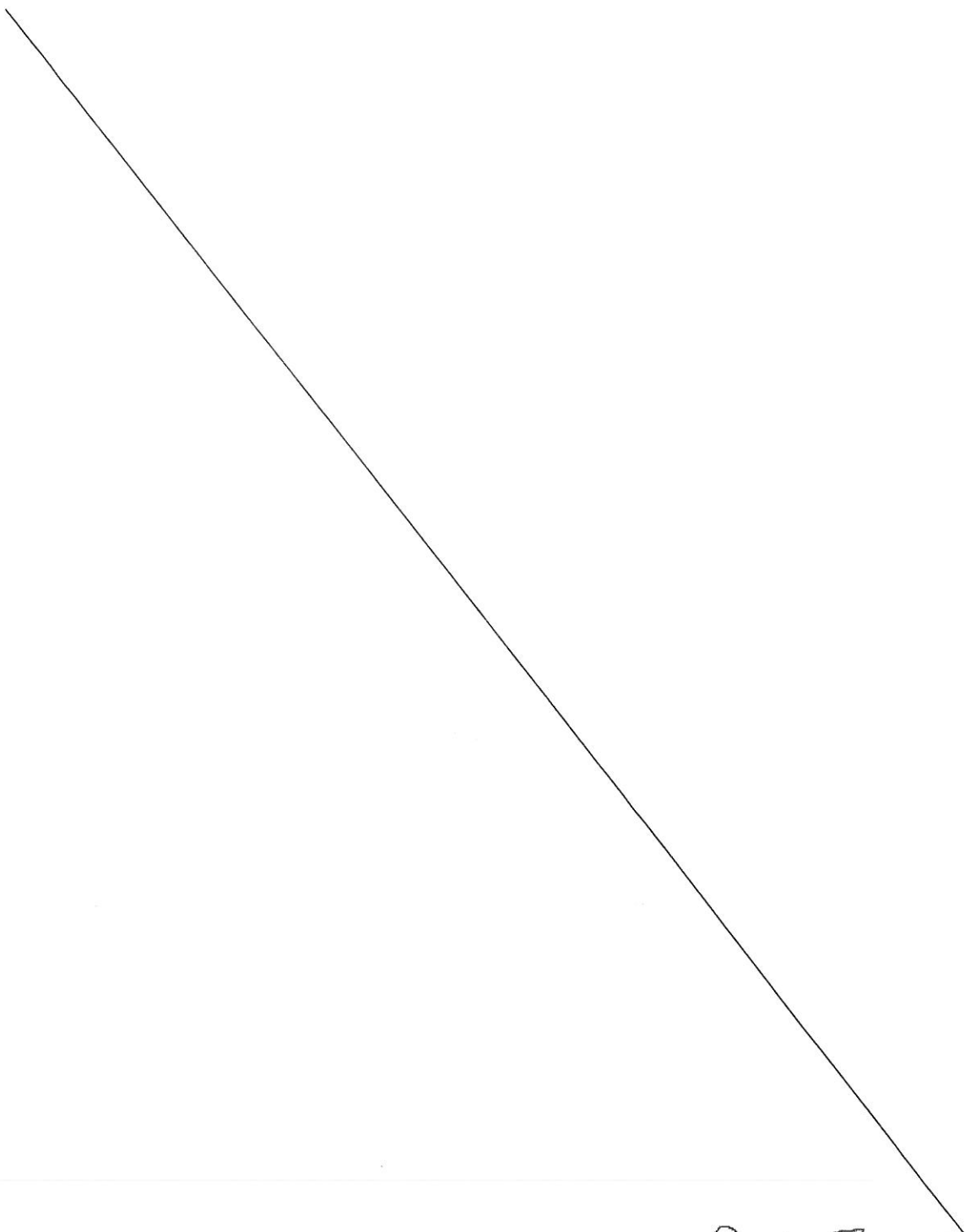
(Signed) *D. L. Thomas*

I Diane Louise Thomas am employed by Bridgend County Borough Council as an Environmental Health Officer in the food safety team. On the 14th August 2014 at approximately 5:20pm, myself and colleague Environmental Health Officer Miss Bethan Jones visited Mudo's, 103 Bridgend Road, Aberkenfig to carry out a routine food hygiene inspection.

When I arrived on site I met staff member Mr Mustafa Aygan. Mr Mustafa Aygan advised me that he and his partner had only opened the business the week previous. I asked Mr Aygan who the food business operator was and he informed me that his partner Mr Onder Akin was the food business operator. The food business operator had not registered the food business, this was discussed and a food business registration form was left on site. Mr Aygan informed me that the business name was now Aberkenfig Kebab House. At the time of the inspection Mr Mustafa Dost's food hygiene training certificate was on the wall. I asked Mr Aygan if Mr Dost works at the

(Signed) *D. L. Thomas*

business or if he has anything to do with the business and Mr Aygan informed me that Mr Dost has nothing to do with the business. Mr Aygan advised that the business is leased from Mr Dost however he has nothing to do with the business. I was informed that Mr Dost still runs the pub but has no involvement with the food business.



(Signed) *Diane Thomas*
