

MINUTES OF A MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEE (B) HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 7 MARCH 2019 AT 14:00

Present

Councillor – Chairperson

PA Davies

B Jones

G Thomas

Officers:

Julie Ellams

Democratic Services Officer - Committees

Andrea Lee

Senior Lawyer

Michael Pitman

Business & Administrative Apprentice

Yvonne Witchell

Team Manager Licensing

44. DECLARATIONS OF INTEREST

None

45. LICENSING ACT 2003 - SECTION 17 - APPLICATION FOR A VARIATION OF PREMISES LICENCE - 'MARMARIS KEBAB AND PIZZA', 33 WYNDHAM STREET, BRIDGEND

For the applicant:

Mr Halit Ertas – Agent

Mr Fatih Yildiztekin – Applicant

The Chairperson welcomed all those present to the meeting and introductions were made.

The Team Manager Licensing reported on an application received for a variation of an existing premises licence at Marmaris Kebab and Pizza, 33 Wyndham Street, Bridgend. The Team Manager Licensing explained that the applicant was seeking to remove conditions 14-19, under Annex 3 of the Premises Licence, which authorised the provision of late night refreshment from the premises. She explained that when the report had been prepared, both parties had indicated that they would be present. A colleague had received a telephone call from PC Morris that morning to say that he had been called to court and was requesting an adjournment.

The Team Manager Licensing asked the agent and applicant if they would agree to an adjournment. The agent explained that he had travelled from London that morning and he would like the hearing to continue.

The Legal officer asked for the exact wording of PC Morris's request and if he was attending court to give evidence or if he had been called to court urgently. The Team Manager licensing explained that a colleague had taken the message so she was unable to say exactly what had been said. The members retired to consider the request for an adjournment.

After a short time the meeting reconvened and the Chairperson explained that the Sub-Committee had taken into consideration the requests from both sides. They appreciated that the agent had travelled for more than four hours however they had questions for the police regarding the history of the premises before they were in a position to make a

decision. They were very disappointed with the late response from the police and if this was repeated, they would continue without a police representative.

The Agent asked the Sub-Committee to reconsider their decision and the Chairperson replied that she appreciated and shared their frustration but had to be sure that they had all relevant information before taking their decision. The meeting was adjourned and the Team Manager Licensing explained that she would shortly be in contact with the same three members, the agent and the applicant to agree a new date.

The Team Manager Licensing reported further to the adjourned meeting of this Sub-Committee on 7 March 2019 wherein a hearing was adjourned as a representative from South Wales Police was unable to attend.

She advised the Sub Committee that since that time, the applicant and South Wales Police had been in discussions in order to reach an agreement. She presented a copy of an email from South Wales Police to the Sub Committee which informed the applicant of the removal of their objections. The reason for removal of the objection was due mainly to a lack of recorded crime and antisocial behaviour relating to the premises within the last 18 months. The applicant had acknowledged the removal of the conditions and had signed accordingly.

The Team Manager Licensing advised Members that the original agreement that was made for the premises to ensure that two SIA registered door supervisors be employed during specific times was related to anti-social behaviour that occurred at the premises at that time.

The Team Manager Licensing advised Members that due to there being no other representations/objections, the Sub Committee was required to grant the request for variation to a licence which would normally be granted under delegated powers.

**RESOLVED:** That the Sub Committee removed conditions 14 – 19 under annex 3 of the premises licence which relate to the removal of the requirement for SIA registered door staff at the premises.