

## **Licensing Enforcement representation 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 Maesteg Charcoal Grill, 25 Commercial Street, Maesteg, 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 Maesteg Charcoal Grill is failing to promote the licensing objective of the Prevention of Crime and Disorder.

#### Prevention of Crime and Disorder

There have been a number of complaints received by Licensing since August 2009, the most recent being on **06 February 2015** where a complaint was received that the premises was serving hot food past its licensable hours and generating a large amount of noise and litter. Video footage of the premises at 00:20 hours has also been submitted to the Licensing department showing the premises is open but the sale of hot food, a licensable activity has not yet been substantiated.

Mr Kanal assumed joint responsibility for the premises in December 2011 and sole responsibility in August 2013. The licensing file shows a range of complaints and counter complaints regarding the opening hours of takeaways in Commercial Street.

In May 2012 the Council received a complaint via the South Wales Police, that a gaming machine was sited on the premises. A warning letter was sent in June 2012 to Mr Kanal and partner advising that the premises was not licensed for gaming machine use.

On 08 October 2013 during an enforcement visit a category D gaming machine was available for use on the premises, a warning letter was sent to Mr Kanal on 10 October 2013 advising it was an offence for gaming machines of any category which are not exempt from regulation to be sited in non-gambling premises such as fish and chip shops, takeaways, cafes and taxi offices. A further inspection was carried out on 27 March 2014 and again an illegal machine was available for use on the premises, a further warning letter was sent to Mr Kanal on 07 April 2014.

### **3. Conclusion**

In light of the above breaches under the Gambling Act 2005 and allegations of breaches of conditions under the Licensing Act 2003, Licensing Enforcement has no confidence that the management of Maesteg Charcoal Grill 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**