



Community Safety Partnership
Licensing Department
Police Station
Brackla Street
Bridgend
CF31 1BZ
B.3-260/15

13th August 2015

Maesteg Charcoal Grill Ltd.
Maesteg Charcoal Grill
25 Commercial Street
Maesteg
CF34 9DH

Legal Services Department
Corporate Services
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Sir/Madam,

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER SECTION 17 OF THE
LICENSING ACT 2003**

APPLICANT: MAESTEG CHARCOAL LTD. ON BEHALF OF MAESTEG CHARCOAL GRILL

Representations

South Wales Police make representations to the Bridgend County Borough Licensing Authority that they are of the view that if approved the application would impact on the licensing objectives.

The representations are strengthened having regard to the steps intended to be taken in the Operating Schedule to promote the objectives as well as other information and evidence which is set out below for the Licensing Sub-Committee's consideration.

The Premise

This is a kebab/pizza takeaway which was previously licensed to provide late night refreshment with restricted hours of licensable activity until the early hours on weekends.

The original planning permission for a change of use was granted on condition that the opening hours were also limited.

Management not only chose to continually contravene the hours authorised under the Licensing and Town & Country Planning Acts but also failed to adhere to other conditions of the Premises Licence.

Offences were also committed under the Gambling Act 2005.

Additionally the UK Borders Agency executed a warrant at the takeaway on **13th June 2014** and

arrested a Turkish migrant who not been granted leave to remain in the UK contrary to the Immigration, Asylum & Nationality Act 2006.

Incidents of crime and disorder were also recorded at the premise.

Infact offending was so prevalent that between **2011** and **2014** the Planning Authority and South Wales Police served **6** warning letters and what is significant about these warnings is that they were given to three previous licence holders.

The Planning Authority was subsequently required to serve a Planning Contravention Notice in **2013**.

However; various enforcement failed to promote the objectives and on **22nd January 2015** South Wales Police were ultimately compelled to review the licence yet staff continued to trade outside the permitted planning hours thereafter.

At a hearing before the Licensing Sub-Committee on **13th March 2015** the authorisation was revoked and no appeal was made against this determination.

Subsequently management also engaged in licensable activity after the licence was revoked and had to be served with a robust warning letter on **8th May 2015**.

On **19th May 2015** the Licensing Authority also served a warning letter.

South Wales Police believe the premises has a number of persons involved in its management and whoever holds the licence will either be controlled by those persons or be part of that group and there will be a continued failure to promote the objectives.

The Applicant

In *Part 4* of the application it is noted that a limited company is named as the applicant and although the application is signed one may assume that Nihat Halit Hasan is signing on the applicant's behalf as written (erroneously) in the box detailed "*capacity*" is that name.

However; what is required to be entered is the following, "*If signing on behalf of the applicant please state in what capacity*".

There are grave concerns about Mr Hasan as he was responsible for committing offences post review.

Mr Hasan is also author of the letter which accompanied the application and its content also gives rise for alarm as do discussions with others who have contacted South Wales Police in respect of the application and who clearly have a vested interest in the business being licensed.

Therefore if the application is approved effectively nothing will have changed which would seriously impact on the objectives.

The Operating Schedule

Within the Operating Schedule (**M** - boxes **a** to **e**) the Act requires an applicant to describe any additional steps intended to be taken in order to promote all four licensing objectives namely: -

The prevention of crime and disorder

Public safety

The prevention of public nuisance

The protection of children from harm

The steps detailed are adopted as conditions of the Premises Licence and arguably attempt to negate responsible authorities from making representations in respect of the application.

Having made an assessment of the schedule some of the conditions proposed are either not relevant, are catered for under other legislation, appear in duplicate or are clearly unenforceable.

South Wales Police are of the opinion therefore that the licensing objectives have not been adequately addressed.

Home Office guidelines issued under Section 182 of the Licensing Act 2003 and Bridgend County Borough Councils "*Statement of Licensing Policy*" allows representations to be amplified at hearings therefore matters will be expanded upon at any subsequent hearing in respect of this application.

Yours faithfully,

Sergeant 4298 Bennett
On behalf of the Chief Officer of Police

Pen-y-bont ar Ogwr
Mwy Diogel



Safer Bridgend

www.saferbridgend.org.uk

MAESTEG CHARCOAL GRILL

25 COMMERCIAL ST.

MAESTEG, CF34 9DH

Date: 15.07.2015

Tel:

PC KEVIN ELLIS

The Chief Constable
South Wales Police

Bridgend Police Station

'F' Bridgend Division

Brackla Street

Bridgend, CF31 1B2

Dear Kevin Ellis,

I am writing regarding with a new application of the premises licence, Maesteg Charcoal Grill. I was spoken with you on the phone couple weeks ago regarding with this new premises licence application, and some issue arising between police and us.

According to our telephone conversation, you recommend me to write you about this matters and explained this issue.

Thus, I will try to explain this issues on this letter again. As, I told you on the phone, I had some serious health and family problems for a long time. So, I could not dealt on the premises problem. Therefore, I was appointed some one else as a manager on behalf me to manage everything.

Another crucial issue that we had a licence from Bridgend Council, it shows that they given permission to open premises till 00:02 a.m. on Fridays and Saturdays. The manager did follow this licence, according to the council staff's told him can open the shop untill 00:02 a.m. on Fridays and Saturdays. The manager told that he called to the council many times to get correct and official information. He did not know that the planning has given different times; the shop can open till 01:00 am. on Fridays and Saturdays. As you guess that we are not professional people, so we did not know which one we need to follow it. This confusion make us to follow wrong one, untill police told us it's wrong.

However, as I promise you all these matter are over. I take all responsibility of the premises. I will do my best and I promise you there will be no problems occurred in the future relating with the licence matter. I need this licence as soon as possible, because my business is running not well. I lose profit after losing the licence. I am scare about I will be shutting down the shop and everyone lose to the jobs. We need your help to have the licence as soon as possible.

Your Sincerely

H. Hasan

NIHAT HASAN

