

AGENDA SUPPLEMENT (2)

Meeting: Western Area Licensing Sub Committee
Place: St John's Parish Centre, 2 Wingfield Road, Trowbridge, Wiltshire,
BA14 9EA
Date: Thursday 23 August 2012
Time: 10.30 am

The Agenda for the above meeting was published on 14 August 2012. Additional papers have now been included for the meeting, as detailed below.

Please direct any enquiries on this Agenda to Kirsty Butcher, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line or email

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

5d **Appendix 4 - Supporting Evidence** (*Pages 1 - 4*)

Further supporting evidence from the Wiltshire Police is attached.

DATE OF PUBLICATION: 20 August 2012

Agenda Item 5d

From Insp Winter;

09/12/2011 23:35 AT Approx 2335 hrs on Friday 9th December I attended Feta Feast Takeaway in the Market Place Warminster and spoke to a male I know as Mohammed who manages the running of the takeaway most evenings.

MOHAMMED stated that he had cancelled his door staff for later that evening as it was his intention to close at 0200 hrs.

When I questioned MOHAMMED as to his role in the running of the FETA FEAST MOHAMMED stated that SID THNAIBAT from DJS Taxiis still owned the business and that he and his friend were just responsible for the day to day running.

The main instructions still came from THNAIBAT.

MOHAMMED stated that ***** had been paid her outstanding monies by THNAIBAT that day - and she was not anything to do with the business.

MOHAMMED produced the license conditions for the premises from a room at the back of the premises and I asked MOHAMMED to read the conditions attached.

MOHAMMED struggled to read English but he could read and I asked him to read out loud the part re doorstaff.

MOHAMMED understood that he needed to have doorstaff if the premises stayed open until 0300 hrs but that he could not afford to do this.

MOHAMMED stated he had been having doorstaff for some of the time?

MOHAMMED stated that he had never been in trouble for the 8yrs he had been in the UK and that THNAIBAT was the person responsible.

0649

Warminster

Premises: ER - Feta Feast

Date & Time Visited: 15/04/2012 04:00

Comments: still serving but ushered 4 customers out on our arrival. Spoke to male in charge, shareef nasri - advised that this would be reported to licencing-stated someone must have opened the door and let the customers in.

020412

Ma'am,

Is Feta still meant to be closed at 02.00 hours? It was on the briefing a few weeks ago, but I am not sure if its still the case. They were still open and serving at 02.40 hours this morning.

Regards,

PC Jasmin Windsor-Hichens

2512

54120020835 Officers on patrol observed Feta Feast, Market Place, Warminster still serving customers at approximately 0255 hours Sunday 4th March 2012. This is contrary to their licensing conditions.

Source Eval – B Mostly reliable (07/03/2012)

19 April, 2012

Mr S Thnaibat
8 Myrtle Avenue
Warminster
Wiltshire
BA12 8LW

Public Protection
165 Bradley Road
Trowbridge
Wiltshire
BA14 0RD

Formal Warning Letter

Our Ref: mj2.4

Dear Mr Thnaibat

**Licensing Act 2003
Premises Licence – Late Night Refreshment
Feta Feast 82 Market Place Warminster BA12 9AW**

Wiltshire Police have informed this Authority that they have witnessed several breaches of your licence. Principally, that you have continued trading beyond the permitted hours of your late night refreshment licence.

Your premises are currently licensed with this Authority, for the sale of hot food and drink as follows:

Sunday, Monday, Tuesday	2300 – 0100 the next day
Wednesday, Thursday, Friday & Saturday	2300 – 0200 the next day

To sell to customers beyond these hours is an offence under the above legislation and liable to prosecution by this Authority, or prosecution and/or call for review by the Police. This means that all customers must have left your premises by closing time and no customers must be in your premises awaiting their order.

You have already been advised in writing by myself, on more than one occasion, that you must comply with the terms and conditions of your current licence. If, following this letter, additional evidence is obtained of you contravening the terms of your licence, action will be taken against you, with no further warnings issued.

The penalty for conviction for offences under the Licensing Act 2003 is up to £20,000, up to 6 months imprisonment, or both.

Yours sincerely

Maggie Jones
Licensing Officer
Direct Dial: 01225 770536
c.c. J Gallimore, Wiltshire Police, Trowbridge Police Station, Polebarn Road, Trowbridge
BA14 7EP
Mr S Thnaibat, Feta Feast, 82 Market Street, Warminster BA12 9AW

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