

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

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.

I Chief Officer of Police

*(Insert name of applicant)*

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Dilay Fast Food Ltd, trading as Chicoland 9 New Road	
Post town Chippenham	Post code (if known) SN15 1HH

Name of premises licence holder or club holding club premises certificate (if known) Fazal Faiz
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Number of premises licence or club premises certificate (if known)
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Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (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 business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

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

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal  
address if  
different from  
premises  
address

Post town

Post Code

Daytime contact telephone number

E-mail address  
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Wiltshire Police Trowbridge Police Station Polebarn Road TROWBRIDGE Wiltshire BA14 7EP
Telephone number (if any) 0845 408 7000
E-mail 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 | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input type="checkbox"/>            |

Please state the ground(s) for review (please read guidance note 1)

Police find that the management of the premises do not actively promote the licensing objectives, the prevention of crime and disorder and public safety.

On the 13<sup>th</sup> of May 2010 Police objected to the issue of a Temporary Event Notice (TEN) for the premises known as Chic 'o' land, Chippenham.

At a hearing on the 25<sup>th</sup> of May 2010 the Wiltshire Council Licensing Committee heard Police evidence upto and including the 4<sup>th</sup> of May 2010, in relation to crime and disorder linked to the premises and evidence of management practices which did not support the licensing objectives.

As a result of the objection notice, the Licensing Committee refused the grant of the TEN.

A number of incidents of crime including serious violent crime, disorder and anti social behaviour have been recorded by Police since the 25<sup>th</sup> of May 2010. In addition the management of the premise continue to operate beyond their permitted hours despite previous formal warnings.

Police now believe that additional conditions are required to ensure that the licensing objectives, the prevention of crime and disorder and public safety are met.

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

1. 13/05/10 Taken from Chippenham Town Centre Patrol occurrence 54100026800

Chicoland appeared to be closing, however at 0330hrs, the doors were locked but customers were still inside waiting for their orders to be prepared.

2. 21/05/10 Police intelligence report 54100040799

Chicoland has been shutting the doors and turning off the lights at 3am as per the licence, if police are seen in the area. If the doors are shut customers often remain inside and are served though no further customers are let in. On 25/04/2010 on 2 occasions friends of customers already inside the premises were seen to place new orders after 3am by either shouting to people inside or phoning them. This has also been seen on previous occasions though dates are unknown.

3. 29/05/10 Taken from Chippenham Town Centre Patrol occurrence 54100026800

Disorder outside Chicoland involving drunk individuals early hours of Saturday

4. 04/06/10 Police occurrence 54100044801, log POL-20100604-0047 timed 0236hrs

Having gone to Chicoland at approximately 0215hrs, a male and female were assaulted by two males. The male was dragged out of Chicoland whilst being violently assaulted. He was punched, kicked and stamped on. He lost consciousness. The female was also punched in the assault.

5. 08/06/10 Police intelligence report 54100046069

At 1300 hours on 04/06/2010, a Police Officer attended Chicoland to request a copy of CCTV from that morning. There was a single member of staff present, Mr Fazal 'Alex' FAIZ. FAIZ refused to give his date of birth. After denying seeing or being aware of any incident in his store. Mr Faiz then said Police didn't need his CCTV as the incident happened outside the store.

6. 25/06/10 Police occurrence 54100051371, POL-20100625-0018 timed 0046hrs

Two males were found urinating inside the premise. One was given a Fixed Penalty Notice for being Drunk & Disorderly and one a Fixed Penalty Notice for urinating in a public place.

7. 27/06/10 Police intelligence report 54100052085

At 0255 hours on Sunday 27th June 2010 Police Officers saw staff allowing people entry into the shop. Staff inside the shop, who were aware of officers' presence, called officers over and complained that they could not shut on time as customers were refusing to leave.

8. 10/07/10 Taken from Chippenham Town Centre patrol occurrence 54100026800

Chicoland doors were open after 0300hrs.

9. 11/07/10 Police occurrence 54100057660, log POL-20100714-0165

Unknown offender(s) stole the victim's mobile phone by removing it from the front right pocket of the victim's jeans whilst he was stood queuing to purchase a takeaway or immediately afterwards when outside the takeaway shop.

10. 26/07/10 Police intelligence report 54100061544

Whilst on patrol it was noticed that Chicoland was serving past 03.00 hours. It wasn't until the Police vehicle was parked directly outside of the shops that the doors were locked. However, there were still members of the public on the premises and although they locked the door as soon as the Police vehicle parked up outside they continued to serve customers. The premise wasn't completely empty until 03.30 hours.

11. 31/07/10 Taken from Chippenham Town Centre patrol occurrence 54100026800, log POL-20100731-0059 timed 01.34hrs

A report was made of two females fighting inside Chicoland. Police attended.

12. 10/09/10 Taken from Chippenham Town Centre patrol occurrence 54100026800, log POL-20100910-0038 timed 0252hrs

A report was made of two persons fighting outside Chicoland. Police attended.

13. 15/09/10 Police intelligence report 54100077428

Police attended Chicoland in Chippenham to view footage of a disorder that may have taken place in the shop. Whilst viewing the footage in the company of the Manager it was established that their CCTV system runs an hour behind. The actual time the alleged incident took place was 0250hrs and the footage clearly showed that there were a lot of people coming in and out of the shop at that time. People were still being served and food was being cooked. There was no sign of the shop closing or staff making people aware that they were about to close. When the Police Officer confirmed that the footage was of 0250hrs the manager appeared to become agitated and then changed the subject. The Manager then fast forwarded the footage to approximately 0302hrs and the footage still showed people being served and the shop still open.

14. 12/09/10 Police Intelligence report 541008116

At 03.05 I attended Chicoland Chippenham in company Pc Lloyd, there were two males in the shop still being served with hot food. I went into the shop which was locked, once inside I saw at least one young male who was at the counter who was being served hot food.

15. 19/09/10 Police intelligence report 54100078609

Police met with Mr Faiz to discuss the concerns and suggest solutions to the problems, the following proposals were made -

- a) Voluntarily closing his premises at 0300 with no serving from 0230hrs
- b) Employing door staff in the final hours of trading
- c) Improvements to the CCTV at the premises

Mr Faiz declined to a) and b) but gave an undertaking to ensure that the CCTV was in full working order.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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**If you have made representations before relating to this premises please state what they were and when you made them**

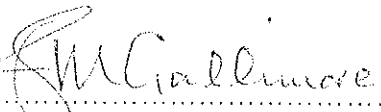
Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 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 note 3)

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

Signature  .....

Date 4<sup>th</sup> October 2010 .....

Capacity Licensing Officer .....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5) Jacqui Gallimore	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

1. The ground(s) 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 which we shall use to correspond with you about this application.