

WILTSHIRE POLICE HEARING DOCUMENTS

Objection to the variation of a premises licence - FETA FEAST WARMINSTER

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Mrs Maggie Jones
Licensing Officer
Public Protection Services
Wiltshire Council
Bradley Road
Trowbridge,
Wilts BA14 0RD

Divisional Licensing Officer
Trowbridge Police Station
Polebarn Road
Trowbridge
Wiltshire BA14 7EP
Telephone: 101
Mobile:
Ext: 725570
Direct Dial: 01225 794627
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DX: 146500, Trowbridge 5.

Date 01 August 2012

Your ref

Our ref

Reply contact name is **David Bennett**

Dear Mrs Jones,

Ref: Feta Feast - 82 Market Place Warminster

The Wiltshire Police have received an application from Mohamad Saadi on behalf of the above premise to vary the premises licence.

The variation being to extend the opening hours for the provision of late night refreshment to 0300 hours on Fridays and Saturdays instead of 0200 hours.

The Wiltshire Police object to the variation of this premise licence. The licensing objective, the prevention of crime and disorder will be undermined as a result of this proposed change.

These premises were subject to a review hearing on 15th December 2011 following police concerns of associated crime and disorder.

The decision made by the sub-committee to vary the licence has proved to be successful in reducing incidents linked to the premises. Police believe that this variation would countermand this positive position.

Yours sincerely,

David Bennett

Police Licensing Manager

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 82 Market Place	
Post town Warminster	Post code (if known) BA12 9AW

Name of premises licence holder or club holding club premises certificate (if known) Mr Sid Thnaibat T/A Feta Feast

Number of premises licence or club premises certificate (if known) WW0600010LAPRVA
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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) 101 Ext 725578
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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

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

The premises was the subject of a police objection to the variation of a premises licence in February 2006, the licensing committee found that there was crime and disorder relating to the premises in particular after midnight, and imposed the following conditions -

a) Two number door staff to be employed and to be on duty at the premises between the hours of midnight and 03.00 hours on a Wednesday, Thursday, Friday and Saturday evening. There is no requirement for door staff if the premise closes at 02.00 hours.

b) The seating provision at the premises is to be removed after 23.00 hours on a Wednesday, Thursday, Friday and Saturday evening.

In June 2011 the current premises licence holder took over the business, since this time there have been numerous breaches of the premises licence in relation to the provision of door staff.

The premises and it's immediate vicinity continues to be the location for crime, disorder and anti social behavior and police find that the conditions above are still relevant and necessary to promote the licensing objective 'the prevention of crime and disorder'.

In July 2011 Wiltshire Council licensing officers wrote formally to the premises licence holder reminding him of his obligations to the licence, police officers and police licensing officers have reiterated this advice over a period of two months, during which the premises were found to be in compliance on only one week end.

The premises licence holder does not actively promote the licensing objective, the prevention of crime and disorder and displays a blatant disregard for the licensing legislation. In addition the premises licence holder has been uncooperative and obstructive when dealing with police.

Police now believe that only the revocation of the licence will ensure that the licensing objectives are promoted.

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

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 19th October 2011

.....

Capacity Licensing Officer

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Jacqui Gallimore Trowbridge Police Station Polebarn Road Trowbridge Wiltshire	
Post town	Post Code BA14 7EP
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

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.

WILTSHIRE POLICE

LICENSING REPORT 2011 – FETA FEAST WARMINSTER

Summary of evidence

June 2011

1. On Saturday 11 June 2011 town centre CCTV recorded the following -
 - 02.00 - 03.00hrs Feta Feast open and trading.
 - 02.03 hrs no door staff seen
 - 02.10 hrs clear view of shop, no door staff present and customers still going in and out food and money being exchanged.
 - 02.31 hrs still open and trading with no door staff.
 - 02.45 hrs still open and trading with no door staff.
 - 02. 59hrs end of footage, still open and trading.

2. Log 0060 on 12/06/11 at 02.40 a further call from CCTV staff reports disorder at the premises, police attended and dispersed persons from the vicinity.

3. Niche 54110050397 refers at 02.40 hours on 12/06/11 following a reported disturbance at Feta Feast the attending officer recorded 'I spoke to the staff working there regarding their door staff. The staff told me that the business had a new owner, they didn't know his name but they believed he was the proprietor of DJ Taxis another local Warminster business. They also told the officer that there had been no door staff recently and nor was there likely to be as the new owner didn't want to employ them at the premises.

4. On Sunday 12 June 2011 town centre CCTV recorded the following -
 - 02.00 - 03.00hrs Feta Feast open and trading
 - 02.04 hrs male urinating outside the premises.
 - 02.08 hrs clear view inside, no door staff on duty.

02.25 hrs clear view inside no door staff on duty

02. 30 hrs male beginning to get aggressive outside.

02. 40 hrs fight breaks out inside premises, Police attend.

0259hrs- end of footage, still open and trading

5. On Saturday 18 June 2011 town centre CCTV recorded the following -

02.00 – 03.00 hrs open and trading

02.24 hrs clear view, no door staff on duty.

03.00 hrs end of footage, still open and trading

6. Premises: ER - Feta Feast

Date/Time Visited: 18/06/2011 02:25

Comments: checked all in order no door staff visible

Officer : Ps Hughes

Sector Name: Warminster

7. On Sunday 19 June 2011 town centre CCTV recorded the following -

02.00 – 03.00 hrs open and trading

02.06hrs clear view, no door staff.

02.17 hrs clear view, no door staff.

02.24 hrs pushing and shoving outside of the premises.

02.59 hrs end of footage, still open and trading.

8. Premises: ER - Feta Feast

Date/Time Visited: 19/06/2011 03:00

Comments: All in order, however no door staff seen

Officer : Pc Windsor Hitchins

9. On Saturday 25 June 2011 town centre CCTV recorded the following –

02.00 – 03.00 hrs Feta Feast open and trading

02.11 hrs clear view, no door staff

02.13 hrs clear view, no door staff

02.27 hrs clear view, no door staff

02.59 hrs end of footage, still open and trading

10. On Sunday 26 June 2011 town centre CCTV recorded the following –

02.00 – 03.00 hrs Feta Feast open and trading

02.15 hrs clear view, no door staff

02.40 hrs clear view, no door staff

02.48 hrs police attend premises

02.50 hrs police leave, premises continues trading.

03.00 hrs end of footage, still open and trading.

July 2011

11. Premises: ER - Feta Feast

Date/Time Visited: 02/07/2011 02:20

Comments: visited takeaway busy, no door staff on duty or visible, no member of staff able to speak due to being busy.

Collar No : Pc Calland

12. Premises: ER - Feta Feast

Date/Time Visited: 10/07/2011 02.05

Comments: No door staff visible inside venue staff serving

Officer : Ps Hughes

13. Premises: ER - Feta Feast

Date/Time Visited: 10/07/2011 03.00

Comments: No door staff present customers still being served

Officer : Ps Hughes

14. On Saturday 16th July 2011 town centre CCTV recorded the following -

02.00 – 03.00 hrs open and trading

02.14 hrs serving with no door staff visible

02.22 hrs serving no door staff visible

02.45 hrs still serving not seen any door staff yet

02.54 hrs one member of door staff comes from behind the counter and exits Feta.

02.55 hrs a male urinates in the doorway of the Ink Shop next door to Feta

02.55 hrs Feta Feast closed

15. On Sunday 17th July 2011 town CCTV records the following -

02.00 – 03.00 hrs Feta Feast open and trading

02.03 hrs really busy inside Feta, no sign of door staff.

02.13 hrs no sign of door staff.

02.24 hrs an incident inside the door of Feta, one person on the floor, Police cross the road and investigate, still no door staff, male appears to have injured his leg

02.29 hrs one member of door staff member appears from behind the counter to talk with the Police.

02.30 hrs First Responder car turns up for the injured male

02.36 hrs fight breaks out outside Feta's front door Police again cross the road one member of door staff comes out of premises just after Police arrive

0237hrs- Feta's lights go out persons still inside at that time.

02.38 hrs Feta Feast closed

02.42 hrs incident outside still being dealt with

02.44 hrs Police talking to owner

02.50 hrs ambulances arrives to take injured male away

16. Premises: ER - Feta Feast

Date/Time Visited: 17/07/11

Comments: Log 0065 on 17/07/11 refers at 02.28 hours I visited Feta Feast Takeaway Market Place Warminster, I was flagged down by a member of the public who told me trouble was brewing inside, the premises was full, I saw a male person who had injured himself within the premises and was being tended to. This male had somehow managed to put his foot through a floor tile.

The floor was a danger; there was a whole approx 12 inches by 24 inches right by the door and a hazard to further customers. Feta tried to continue serving

customers until I told them they should consider closing due to Health and Safety. The owner a Sid Thnaibat turned up at the premises and informed me that he was the new owner and had been for 1 month. Sid Thnaibat wanted the help of Police to empty the premises. Customers were irate at being turned away and tempers became frayed. After a scuffle between a half a dozen or so people outside which then calmed down, I spoke to Sid Thnaibat seriously about what had happened and how I thought he was managing his premises. Sid Thnaibat told me he was not aware of his licence conditions and disagreed that the Council should impose any conditions at all. Sid Thnaibat stated he paid his rates and he should decide his own conditions. He said he would not and cannot afford door staff and he wished he hadn't bought the premises.

Sid Thnaibat believes it is the job of the Police to control the order there and expects the Police to be there as he pays our wages. I was quiet firm in explaining what I understand to be his Wiltshire Council licensing conditions and at the moment whilst these are in place he needs to abide by them.

Officer : Inspector Winter

17. Niche 54110063697 refers on 23/07/11 at 02.55 hours Feta Feast were still open and serving. I would estimate there being still over 15 customers inside at this time. There were no door staff at all throughout the night.

18. On Saturday 23rd July 2011 town centre CCTV recorded the following –

02.00 – 03.00 Feta Feast open and trading

02.00 hrs no door staff visible

02.15 hrs still trading, no sign of door staff.

02.20 hrs premises very busy no sign of door staff, one male urinating on the Natwest Bank door.

02.30 hrs premises very busy no sign of door staff

02.55 hrs premises very busy no sign of door staff

03.00 hrs still opened and serving no door staff

19. On Sunday 24th July 2011 town centre CCTV recorded the following -

02.00 – 03.00 hrs Feta Feast opened and trading

02.15 hrs no door staff inside

02.18 hrs one member of door staff comes out from behind the counter with food and exits Feta and walks towards The Old Bell to an incident, not seen to go back to Feta Feast. Police already in attendance at The Old Bell

02. 24 hrs no door staff visible.

02.59 hrs Feat Feast open no door staff visible.

20. 23/07/11 warning letter sent to premises by Wiltshire Council Licensing Officer

21. On Saturday 30th July 2011 town centre CCTV records the following -

02.00 – 03.00 hrs Feat Feast open and trading

02.10 hrs no sign of door staff.

02.45 hrs premises very busy no sign of door staff

02.52 hrs premises very busy with no sign of door staff litter on the floor outside the Ink shop.

22. On Sunday 31st July 2011 town centre CCTV records the following -

02.00 – 03.00 Feta Feast open and trading

02.00 hrs no sign of door staff.

02.16 hrs no door staff visible.

02.31 hrs one member of door staff arrives and goes behind counter

02.38 hrs no door staff seen

02.51 hrs appears that one member of door staff leaves and heads towards The Old Bell.

02.52 hrs female throws her Feta rubbish on the floor

August 2011

23. Premises: ER - Feta Feast

Date/Time Visited: 07/08/2011 11:00

Comments: I have spoken with a male who used to be door staff at Feta, who tells me Feta Feast was run by a Sakiba ICER , a few months ago she sold the business to male called Said, who runs a taxi firm in Warminster. Since taking over, Said has no door staff on and has told people that he doesn't need door staff, its Police's job to deal with any issues.

Officer : 2512 Pc Windsor - Hitchins

24. Log 0052 on 07/08/11 at 01.22 hours reported by CCTV as disorder. Police units despatched - no arrests

25. Log 0095 on 07/08/11 at 02.58 hours reported by CCTV as three males fighting. Police units deployed. One arrest officer attending, Pc Emery reported that there was no door staff on duty at the premises.

26. Log 0043 on 14/08/61 at 01.27 hours - disorder, abusive male swearing and shouting in the shop - complaining re food quality.

27. Premises: ER - Feta Feast

Date/Time Visited: 20/08/11 02.35

Comments: Attended premises in company Insp Winters at approx 02.35 hours, no door staff present on the two occasions we had driven past male who gave details as C GRIFFIN turned up at the premises and told me that he was the DS, he gave badge number 0130 0142 1679 he told me that he had been there since 01.30 hours as he had just finished at the Bath Arms. When questioned he then

admitted that he had been told to say he was door staff by Stephen WHEELER.

Submitted by Licensing Officer

28. 29/08/11 E-mail from PS Griffin.

Feta Feast had two door staff on duty from midnight on all 3 nights.

September 2011

29. On Sunday 25 Sept 2011 town centre CCTV records the following -

02.00 – 03.00 hrs Feta Feast open and trading

02.02 hrs Police attend and speak to staff, door is closed with customers still inside and is locked

02.13 hrs Police leave premises

02.26 hrs all customers leave and the lights go out

02.27 hrs male outside starts getting aggressive towards shop workers through the window

02.43 hrs taxi pulls up outside, male gets out (believed to be owner) and appears angry and directs workers back inside the premises

02.45 hrs lights back on, doors open and customers go inside

0252hrs- Police re-attend and then leave

0310hrs- customers still getting food

0315hrs- premises lights off and door closed

30. 140911 letter sent meeting request 270911

31. Premises: ER - Feta Feast

Date/Time Visited: 23/09/11

Comments: I visited early Fri evening and asked them what their intentions were going to be re door staff and hours this weekend – I was told by staff they were trying to source door staff for the 2 nights. I made it quite clear – No door staff they should close at 0200. On Friday into Sat morning they did just that,

and the town was a different place because both premises closed on time.
Submitted by Inspector Winter.

32. Niche 54110083673 refers on 25/09/11 at approximately 0215hrs on the morning I visited the Takeaway premises Feta Feast in the Market Place Warminster. I am aware of this premises and the fact there are licence conditions in place for the premises to operate as a Late Night refreshment House. Should the licence holder/designated staff decide to open until 0300 am then door staff are required at the premises to prevent any anticipated disorder. At 0215hrs today there were no door staff on duty at Feta Feast. I visited the staff and advised them they were in breach of their licence conditions and they should close. The staff on duty told me that they had been let down and that door staff were enroute to them from the Old Bell PH in Warminster. I again advised them to close.

There was no disorder and no noise - but there were about 12 customers that needed to be dealt with. The customers were dealt with and the shop was closed shortly afterwards. At approximately 0225 the staff from Feta Feast approached me in the Market Place Warminster and advised me they now had 1 door staff who would help them and they wanted to re open. I advised them against this and whilst they were not happy the premises remained closed.

33. At 0250hrs the same day I returned to Feta Feast and found that the staff had reopened the premises and were serving approx 8 customers. The staff informed me that the boss SID THNAIBAT had visited the premises and ordered them to reopen otherwise they would all be sacked. SID THNAIBAT was nowhere to be seen when I visited at any time. SID THNAIBAT is also the proprietor of DJ Taxis - Warminster Railway Station. I advised staff yet again to close the premises as they were breaching the licence conditions granted and finally at 0316hrs that day the premises were closed. At no time was there any likelihood of disorder - and there was no noise nuisance.

There were no grounds to invoke Sec 161 of the Licensing Act. It appears that staff at Feta Feast and SID THNAIBAT have no intentions of complying with the licence conditions imposed by WCC, I have visited many occasions in the last 4 months to find the same situation. I have pointed out that the conditions of the license are in place for a reason but to no avail. Feta Feast is linked to violence

and disorder most weekends.

Submitted by Inspector Winter

34. Premises: ER - Feta Feast

Date/Time Visited: 01/10/2011 01.35

Comments: no door staff visible outside or inside

35. Premises: ER - Feta Feast

Date/Time Visited: 01/10/2011 02.00

Comments: open, several customers, no door staff

36. Premises: ER - Feta Feast

Date/Time Visited: 02/10/2011 02.00

Comments: Feta Feast was still open at 0205hrs with half a dozen or so customers queuing up to be served. No sign of any disorder, but no door staff in attendance and no attempt whatsoever is made by staff to close the premises. Spoke to staff who argued that it's difficult to find door staff to do the job for them. Reinforced to them that if no door staff in attendance, they are in breach of the conditions of their licence and therefore should close. Sid Thnaibat was not in attendance but wanted to speak to me on the phone (rather than walk down to the premises from his office at the railway stn). You won't be surprised that my reaction was it wouldn't make any difference to the breach of conditions and that if he couldn't make the effort to walk down to Feta there would be no point in my speaking to him – no doubt he was not pleased!

Staff reluctantly closed the premises at 0210hrs and we continued to monitor until about 0245hrs to ensure Thnaibat didn't get his staff to reopen the premises (as on previous occasions) once they thought we'd gone. Submitted by Inspector Bancroft

37. Premises: ER - Feta Feast

Date/Time Visited: 02/10/2011 02.10

Comments: Check no door staff visible outside or inside Stephen WHEELER stood at counter but did not order food, left when police arrived .

Collar No.: PS Hughes

Sector Name: Warminster

38. 0078 011011 - PND issued S5 POA

39. 13/08/11 Meeting between Mr Thnaibat and Jacqui Gallimore Licensing Officer

40. Premises: ER - Feta Feast

Date/Time Visited: 15/10/11 03.00

Comments: SIA door staff as they had there badges on there arms. I did not see what time they started but they stayed until 0300hrs when it closed up on Friday night.

41. Premises: ER - Feta Feast

Date/Time Visited: 16/10/11 01.30

Comments: two SIA door staff working on Saturday night but was not in ER when it closed however.

42. Niche 54110095667 refers on..... at..... Feta Feast have cancelled their door staff which they arrange through Vicky LUDLOW at the JB's Pub - from next weekend. Further to this staff from Feta Feast have indicated that will stay open trading until 4am. Vicky Ludlow from the JB's Pub in Weymouth Street Warminster confirmed staff at Feta Feast have given notice they no longer want door staff at their premises. Vicky had been providing them with door staff the last few weekends. 1 member of staff from 1am and a second member from 2am. This is still not as per the licensing conditions for Feta Feast which states they should have 2 door staff from midnight if they stay open until 03.00 hrs on a Friday and Saturday evening.

43. Premises: ER - Feta Feast

Date/Time Visited: 19/11/11 03.00

Comments: Street pastors present, and two door staff, no reported problems. closing on time.

Collar Number : Pc 2473 Cook

Sector : Warminster

44.

DECISION NOTICE

Western Area Licensing Sub Committee

Decision made on 15 December 2011

**In respect of an application for a Review of the Premises Licence
made by Wiltshire Police for Feta Feast, Warminster**

Decision:

The Western Area Licensing Sub Committee has resolved to amend the Premises Licence for Feta Feast, Warminster as follows:

The Provision of Licensable Activity:

1) Late Night Refreshment

Sunday, Monday and Tuesday 23.00 until 01.00 (the following day)

Wednesday, Thursday, Friday and Saturday 23.00 to 02.00 (the following day)

Hours of opening

Sunday, Monday and Tuesday 23.00 until 01.00 (the following day)

Wednesday, Thursday, Friday and Saturday 23.00 to 02.00 (the following day)

Conditions to be varied as followed:

- 1) The customer waiting area must be covered by CCTV system capable of producing images of quality so as to identify individuals. The system should be capable of recording images and the record should be stored for a period of 30 days in a secure location. The images should be clearly marked with the date and available to Police on request.
- 2) The additional condition regarding door staff previously attached by the Licensing Authority be removed.
- 3) The seating provision at the premises to be removed by 23.00 on Wednesday, Thursday, Friday and Saturday.
- 4) The licence holder shall within two weeks of the date that this Decision Notice comes into effect, prepare, and submit to the Licensing Authority for approval, a written management plan setting out how he will comply with the licensing objectives including training of any staff. The approved management plan shall thereafter be maintained and complied with.
- 5) The condition regarding gaming machines is removed due to changes in legislation

Suspension of Licence

The licence shall be suspended for 2 weeks or until such time as the management plan in additional condition 4) above, is prepared and submitted to the Licensing Authority (if this is sooner than 2 weeks)

Reasons

To reduce the level of anti-social behaviour associated with the premises as evidenced by the Police.

The reduction in the opening hours to 02.00 would remove the necessity for door staff and the sub-committee were not satisfied that the licence holder was capable of safely managing the premises after 02.00.

The licence holder had not demonstrated his full understanding of managing the premises in accordance with the licensing objectives and the management plan was required to ensure that the licensing objectives would be properly addressed in the management of the premises. The suspension of the licence for two weeks would provide time for the licence holder to consider any changes to the operation of the premises and to prepare the management plan.

The amendment to the condition regarding CCTV was to bring it in line with the standard terms for such a condition and to ensure that the licence holder is aware of his responsibilities in respect of maintaining CCTV records.

In reaching its decision the Sub Committee has considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 52); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

The Sub Committee have also considered the written evidence presented in the agenda and the supporting evidence provided by the Police, together with the oral evidence given at the hearing from Ms Jacqui Gallimore and Inspector Winter (On behalf of the Applicant), and Mr Thnaibat (The Licence Holder).

The Sub Committee considered that the evidence presented by the Police showed a failure by Mr Thnaibat to manage the premises and to comply with the licensing objectives, in particular those relating to the prevention of crime and disorder and prevention of nuisance. They noted in particular that the majority of incidents of disorder and nuisance associated with the premises occurred after 2.00 a.m. and that the licence holder had regularly failed to comply with the existing condition requiring door staff to be on duty, if the premises were to remain open after that time.

The proposed conditions are considered to be necessary to address the concerns regarding these objectives.

Right to Appeal

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of this decision. This decision does not come into effect until the appeal period has elapsed or, if an appeal is made, until that appeal has been finally disposed of.