

LICENSING SUB-COMMITTEE

24 February 2020 at 9.30 am

Present: Councillors Edwards (Chairman), Bennett and Mrs Catterson

Sarah Meeten, Licensing Manager	Licensing Authority
Caroline Perry, Principal Lawyer	Legal Advice
April Heasman, Lawyer	Observer
Peter Savill, Barrister Sussex Police	(Applicant) Responsible Authority
David Bateup, Sussex Police	Police Licensing Team
Mr Afshin Ali-Zadeh	Owner, Istanbul Grill
Fares Hadison, Vandu Language Services	Interpreter for Mr Ali-Zadeh

1. ELECTION OF CHAIRMAN

Prior to commencement of the meeting it had been agreed that Councillor Edwards would chair the meeting.

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

The Chairman then called for a 15-minute adjournment, to allow for the arrival of the Licence Holder.

3. LICENSING ACT 2003 S51 APPLICATION FOR REVIEW OF A PREMISES LICENCE

Prior to commencement of consideration of this item, the Chairman requested those in attendance to introduce themselves and stated that a verbatim note of the meeting would not be taken, should anyone wish anything particular to be noted they should indicate accordingly to enable this to be done.

The Licensing Manager presented this report which outlined the detail of a case of an application from the Sussex Police to review the Premises Licence for Istanbul Grill at 10 High Street, Bognor Regis, PO21 1SR. On the basis that the licensing objectives of the prevention of crime and disorder and public safety had been undermined. The Officer confirmed that the Sub-Committee Members were being asked to review if this is still suitable for late night refreshment.

In line with the Council's laid down procedure, detailed representations were heard from those relevant parties in attendance, followed by comprehensive questions

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between all parties, which were responded to at the meeting, a summary of which is set out below: -

The applicant for the review Mr Savill, explained that Sussex Police were very concerned about this case. He stated only those who could show and demonstrate that they could uphold the licensing objectives should be licence holders. In this case, Sussex Police did not feel this had been demonstrated in current dealings with the licence holder or would be the case moving forward. As this case was not one where any modification or suspension of the licence would resolve the matters of concern their advice would be to revoke this licence.

Mr Ali-Zadeh, the Licence Holder and Owner of the Istanbul Grill advised it had been his first time running his own business. He stated that while he had, had 10 years of experience working in the industry and had a good knowledge of cooking and hygiene standards, he was unfamiliar with the Licensing Conditions and was unaware in the beginning that he needed a doorman/supervisor and CCTV at the premises. He confirmed that he had never read the last page of his Licence.

Following the Council's laid down procedure, detailed representations were heard from those relevant parties in attendance, followed by questions which were responded to at the meeting.

The Licensing Manager asked the Owner of the Istanbul Grill, how he would propose to maintain a positive working relationship with the Police bearing in mind there were a list of numerous other incidents where his behaviour had not appeared to be in co-operation with the Police and in the interests of promoting the licensing objectives, and that, presented further concern that this behaviour would not be improved in the future.

Mr Savill confirmed that he and Sussex Police had serious concerns that Istanbul Grill was persistently failing to adhere to the conditions imposed on the licence and future ability to work in a co-operative way with the Police to address the matters raised.

All parties participated in extensive questions and answers prior to the Subcommittee retiring from the meeting, together with the Council's Lawyer, to consider its decision in tangent with the verbal and written representations made.

On reconvening the meeting, the Chairman advised that this was an application for a review of the premises licence at Istanbul Grill at 10 High Street Bognor Regis. The application has been made by Sussex Police on the grounds of prevention of crime and disorder and public safety.

The Sub-Committee had taken in to account all the representations made, both written and oral in respect of this matter. The Sub Committee had also had due regard to the Statutory Guidance and the Council's own Licensing Policy.

Subject to approval at the next Licensing Sub-Committee meeting

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The decision of the Sub Committee is that the premises licence should be revoked. The decision notice, reasons for this decision and appeal information will be sent to both parties within 5 working days of today.

The Subcommittee therefore

RESOLVED - That

(1) the license be revoked.

(The meeting concluded at 12.10 pm)