

1 BODRUM, 28 QUEEN STREET. MORECAMBE

DECISION OF LICENSING ACT SUB-COMMITTEE

MONDAY 4TH OCTOBER 2010

BODRUM, 28 QUEEN STREET, MORECAMBE LA4 5EG

The Sub-Committee comprised of Councillor Helen Helme (Chairman), Councillor Ian McCulloch and Councillor Bob Roe.

The Legal Adviser was Luke Gorst, Assistant Solicitor.

The Democratic Support Officer was Tom Silvani, Democratic Services.

An application for variation had been made under Section 34 of the Licensing Act 2003 by Hassan Erdem in respect of Bodrum, 28 Queen Street, Morecambe LA4 5EG.

The hearing was held in light of a representation received from the Police.

Mr Erdem, for the applicant, was present at the hearing and was represented by Mr Faz Siddique, Mr Asif Razzaq and Mr Abid Khan of Lawson Taylor solicitors.

PC Graeme Cheetham was also present.

The Chairman explained the procedure to those present, and stated that the hearing would be a discussion led by the licensing authority, and any questions would be put through the Chairman.

The Senior Licensing Officer, Caroline Morrison, introduced the report stating that the purpose of the application was to remove a condition on the premises licence relating to the provision of door staff. Mrs Morrison went on to explain that in the vicinity were a number of take-away premises who were also applying to remove the same condition.

PC Cheetham then presented the police objection to the application.

Mr Razzak and Mr Siddique then presented the applicant's case.

After summing up by the parties, the Sub-Committee withdrew to make its decision, and sought advice from its legal adviser as to the appropriate phraseology of the decision.

DECISION

The Sub-Committee has carefully considered all the written information before it, and all the representations and views expressed at the hearing.

The Sub-Committee has noted that the application relates to the removal from the licence of the condition relating to door staff.

The Sub-Committee has noted the concerns of the police relate to the potential for the increase in crime and disorder at the premises if it is not a condition of the licence that at least one SIA registered door supervisor is on the premises after 1am until closing time

on Friday and Saturday nights.

In making the decision, the Sub-Committee has taken into account that the premises has been flagrantly in breach of its current licence condition relating to door staff, however it also acknowledges that the police chose not to enforce this condition as a result of an ongoing unwritten agreement between several premises in the vicinity to share their door staff.

The Sub-Committee has considered the crime figures presented by the police and the representations from the officer at the hearing and are satisfied that these premises have a very real potential for violence and disorder if not controlled by SIA registered supervisors. The trouble is more likely after midnight after people may be leaving the pubs in the locality and be under the influence of alcohol. The Sub-Committee is therefore of the opinion that it is proportionate and necessary for at least 1 member of SIA registered door staff to be on the premises from 1am on Saturday and Sunday mornings until the premises closes to uphold the licensing objective of prevention of crime and disorder, prevention of public nuisance and public safety.

Having considered the guidance, it is clear to the Sub-Committee, that this premises is benefitting from the late night economy and therefore has taken the view that the premises licence holder needs to ensure that they are working in partnership with interested parties and responsible authorities to uphold the licensing objectives.

The licence condition relating to door staff is therefore amended to the following:-

“A minimum of 1 SIA registered supervisor to be on the premises on Saturday and Sunday mornings from 1am until the premises closes”

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal against this decision. The parties are also reminded of the statutory right of responsible authorities and interested parties to seek a review of a licence on the basis that the licensing objectives are not being met.

Signed.....Dated.....

Councillor Helen Helme (Chairman)

2 MORECAMBE FRIED CHICKEN, 266 MARINE ROAD CENTRAL. MORECAMBE

DECISION OF LICENSING ACT SUB-COMMITTEE

MONDAY 4TH OCTOBER 2010

MORECAMBE FRIED CHICKEN, 265/266 MARINE ROAD CENTRAL, MORECAMBE LA4 5BX

The Sub-Committee comprised of Councillor Helen Helme (Chairman), Councillor Ian McCulloch and Councillor Bob Roe.

The Legal Adviser was Luke Gorst, Assistant Solicitor.

The Democratic Support Officer was Tom Silvani, Democratic Services.

An application for variation had been made under Section 34 of the Licensing Act 2003 by Alie Ltd in respect of Morecambe Fried Chicken, 265/266 Marine Road Central, Morecambe LA4 5BX.

The hearing was held in light of a representation received from the Police.

Mr Ezdi, for the applicant, was present at the hearing and was represented by Mr Faz Siddique, Mr Asif Razzaq and Mr Abid Khan of Lawson Taylor solicitors.

PC Graeme Cheetham was also present.

The Chairman explained the procedure to those present, and stated that the hearing would be a discussion led by the licensing authority, and any questions would be put through the Chairman.

The Senior Licensing Officer, Caroline Morrison, introduced the report stating that the purpose of the application was to remove a condition on the premises licence relating to the provision of door staff. Mrs Morrison went on to explain that in the vicinity were a number of take-away premises who were also applying to remove the same condition.

PC Cheetham then presented the police objection to the application.

Mr Razzaq and Mr Siddique then presented the applicant's case

After summing up by the parties, the Sub-Committee withdrew to make its decision, and sought advice from its legal adviser as to the appropriate phraseology of the decision.

DECISION

The Sub-Committee has carefully considered all the written information before it, and all the representations and views expressed at the hearing.

The Sub-Committee has noted that the application relates to the removal from the licence of the condition relating to door staff.

The Sub-Committee has noted the concerns of the police relate to the potential for the increase in crime and disorder at the premises if it is not a condition of the licence that at least one SIA registered door supervisor is on the premises after 1am until closing time on Friday and Saturday nights.

In making the decision, the Sub-Committee has taken into account that the premises has been flagrantly in breach of its current licence condition relating to door staff, however it also acknowledges that the police chose not to enforce this condition as a result of an ongoing unwritten agreement between several premises in the vicinity to share their door staff.

The Sub-Committee has considered the crime figures presented by the police and the representations from the officer at the hearing and are satisfied that these premises have a very real potential for violence and disorder if not controlled by SIA registered

supervisors. The trouble is more likely after midnight after people may be leaving the pubs in the locality and be under the influence of alcohol. The Sub-Committee is therefore of the opinion that it is proportionate and necessary for at least 1 member of SIA registered door staff to be on the premises from 1am on Saturday and Sunday mornings until the premises closes to uphold the licensing objective of prevention of crime and disorder, prevention of public nuisance and public safety.

Having considered the guidance, it is clear to the Sub-Committee, that this premises is benefitting from the late night economy and therefore has taken the view that the premises licence holder needs to ensure that they are working in partnership with interested parties and responsible authorities to uphold the licensing objectives.

The licence condition relating to door staff is therefore amended to the following:-

“A minimum of 1 SIA registered supervisor to be on the premises on Saturday and Sunday mornings from 1am until the premises closes”

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal against this decision. The parties are also reminded of the statutory right of responsible authorities and interested parties to seek a review of a licence on the basis that the licensing objectives are not being met.

Signed.....Dated.....

Councillor Helen Helme (Chairman)

3 PIZZERIA ITALIA, 15 QUEEN STREET. MORECAMBE

DECISION OF LICENSING ACT SUB-COMMITTEE

MONDAY 4TH OCTOBER 2010

PIZZERIA ITALIA, 15 QUEEN STREET, MORECAMBE LA4 5EQ

The Sub-Committee comprised of Councillor Helen Helme (Chairman), Councillor Ian McCulloch and Councillor Bob Roe.

The Legal Adviser was Luke Gorst, Assistant Solicitor.

The Democratic Support Officer was Tom Silvani, Democratic Services.

An application for variation had been made under Section 34 of the Licensing Act 2003 by Hasan Kalayci in respect of Pizzeria Italia, 15 Queen Street, Morecambe LA4 5EQ.

The hearing was held in light of a representation received from the Police.

Mr Kalayci, for the applicant, was present at the hearing and was represented by Mr Faz Siddique, Mr Asif Razzaq and Mr Abid Khan of Lawson Taylor solicitors.

PC Graeme Cheetham was also present.

The Chairman explained the procedure to those present, and stated that the hearing would be a discussion led by the licensing authority, and any questions would be put through the Chairman.

The Senior Licensing Officer, Caroline Morrison, introduced the report stating that the purpose of the application was to remove a condition on the premises licence relating to the provision of door staff. Mrs Morrison went on to explain that in the vicinity were a number of take-away premises who were also applying to remove the same condition.

PC Cheetham then presented the police objection to the application.

Mr Razzak and Mr Siddique then presented the applicants case.

After summing up by the parties, the Sub-Committee withdrew to make its decision, and sought advice from its legal adviser as to the appropriate phraseology of the decision.

DECISION

The Sub-Committee has carefully considered all the written information before it, and all the representations and views expressed at the hearing.

The Sub-Committee has noted that the application relates to the removal from the licence of the condition relating to door staff.

The Sub-Committee has noted the concerns of the police relate to the potential for the increase in crime and disorder at the premises if it is not a condition of the licence that at least one SIA registered door supervisor is on the premises after 1am until closing time on Friday and Saturday nights.

In making the decision, the Sub-Committee has taken into account that the premises has been flagrantly in breach of its current licence condition relating to door staff, however it also acknowledges that the police chose not to enforce this condition as a result of an ongoing unwritten agreement between several premises in the vicinity to share their door staff.

The Sub-Committee has considered the crime figures presented by the police and the representations from the officer at the hearing and are satisfied that these premises have a very real potential for violence and disorder if not controlled by SIA registered supervisors. The trouble is more likely after midnight after people may be leaving the pubs in the locality and be under the influence of alcohol. The Sub-Committee is therefore of the opinion that it is proportionate and necessary for at least 1 member of SIA registered door staff to be on the premises from 1am on Saturday and Sunday mornings until the premises closes to uphold the licensing objective of prevention of crime and disorder, prevention of public nuisance and public safety.

Having considered the guidance, it is clear to the Sub-Committee, that this premises is benefitting from the late night economy and therefore has taken the view that the premises licence holder needs to ensure that they are working in partnership with interested parties and responsible authorities to uphold the licensing objectives.

The licence condition relating to door staff is therefore amended to the following:-

“A minimum of 1 SIA registered supervisor to be on the premises on Saturday and Sunday mornings from 1am until the premises closes”

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal against this decision. The parties are also reminded of the statutory right of responsible authorities and interested parties to seek a review of a licence on the basis that the licensing objectives are not being met.

Signed.....Dated.....

Councillor Helen Helme (Chairman)

4 REHMANS TAKEAWAY, 26 QUEEN STREET. MORECAMBE

DECISION OF LICENSING ACT SUB-COMMITTEE

MONDAY 4TH OCTOBER 2010

REHMANS TAKEAWAY, 26 QUEEN STREET, MORECAMBE LA4 5EG

The Sub-Committee comprised of Councillor Helen Helme (Chairman), Councillor Ian McCulloch and Councillor Bob Roe.

The Legal Adviser was Luke Gorst, Assistant Solicitor.

The Democratic Support Officer was Tom Silvani, Democratic Services.

An application for variation had been made under Section 34 of the Licensing Act 2003 by Mohamed Raisat in respect of Rehman's Takeaway, 26 Queen Street, Morecambe LA4 5EG.

The hearing was held in light of a representation received from the Police.

Mr Raisat, for the applicant, was present at the hearing and was represented by Mr Faz Siddique, Mr Asif Razzaq and Mr Abid Khan of Lawson Taylor solicitors.

PC Graeme Cheetham was also present.

The Chairman explained the procedure to those present, and stated that the hearing would be a discussion led by the licensing authority, and any questions would be put through the Chairman.

The Senior Licensing Officer, Caroline Morrison, introduced the report stating that the purpose of the application was to remove a condition on the premises licence relating to the provision of door staff. Mrs Morrison went on to explain that in the vicinity were a number of take-away premises who were also applying to remove the same condition.

PC Cheetham then presented the police objection to the application.

Mr Razzak and Mr Siddique then presented the applicant's case.

After summing up by the parties, the Sub-Committee withdrew to make its decision, and sought advice from its legal adviser as to the appropriate phraseology of the decision.

DECISION

The Sub-Committee has carefully considered all the written information before it, and all the representations and views expressed at the hearing.

The Sub-Committee has noted that the application relates to the removal from the licence of the condition relating to door staff.

The Sub-Committee has noted the concerns of the police relate to the potential for the increase in crime and disorder at the premises if it is not a condition of the licence that at least one SIA registered door supervisor is on the premises after 1am until closing time on Friday and Saturday nights.

In making the decision, the Sub-Committee has taken into account that the premises has been flagrantly in breach of its current licence condition relating to door staff, however it also acknowledges that the police chose not to enforce this condition as a result of an ongoing unwritten agreement between several premises in the vicinity to share their door staff.

The Sub-Committee has considered the crime figures presented by the police and the representations from the officer at the hearing and are satisfied that these premises have a very real potential for violence and disorder if not controlled by SIA registered supervisors. The trouble is more likely after midnight after people may be leaving the pubs in the locality and be under the influence of alcohol. The Sub-Committee is therefore of the opinion that it is proportionate and necessary for at least 1 member of SIA registered door staff to be on the premises from 1am on Saturday and Sunday mornings until the premises closes to uphold the licensing objective of prevention of crime and disorder, prevention of public nuisance and public safety.

Having considered the guidance, it is clear to the Sub-Committee, that this premises is benefitting from the late night economy and therefore has taken the view that the premises licence holder needs to ensure that they are working in partnership with interested parties and responsible authorities to uphold the licensing objectives.

The licence condition relating to door staff is therefore amended to the following:-

“A minimum of 1 SIA registered supervisor to be on the premises on Saturday and Sunday mornings from 1am until the premises closes”

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal against this decision. The parties are also reminded of the statutory right of responsible authorities and interested parties to seek a review of a licence on the basis that the licensing objectives are not being met.

Signed.....Dated.....

Councillor Helen Helme (Chairman)

5 SHAHI TANDOORI TAKEAWAY, 8 QUEEN STREET, MORECAMBE

DECISION OF LICENSING ACT SUB-COMMITTEE

MONDAY 4TH OCTOBER 2010

SHAHI TANDOORI TAKEAWAY, 8 QUEEN STREET, MORECAMBE LA4 5EG

The Sub-Committee comprised of Councillor Helen Helme (Chairman), Councillor Ian McCulloch and Councillor Bob Roe.

The Legal Adviser was Luke Gorst, Assistant Solicitor.

The Democratic Support Officer was Tom Silvani, Democratic Services.

An application for variation had been made under Section 34 of the Licensing Act 2003 by Mohammad Naeem Aslam in respect of Shahi Tandoori Takeaway, 8 Queen Street, Morecambe LA4 5EG.

The hearing was held in light of a representation received from the Police.

Mr Aslam, for the applicant, was present at the hearing and was represented by Mr Faz Siddique, Mr Asif Razzaq and Mr Abid Khan of Lawson Taylor solicitors.

PC Graeme Cheetham was also present.

The Chairman explained the procedure to those present, and stated that the hearing would be a discussion led by the licensing authority, and any questions would be put through the Chairman.

The Senior Licensing Officer, Caroline Morrison, introduced the report stating that the purpose of the application was to remove a condition on the premises licence relating to the provision of door staff. Mrs Morrison went on to explain that in the vicinity were a number of take-away premises who were also applying to remove the same condition.

PC Cheetham then presented the police objection to the application.

Mr Razzak and Mr Siddique then presented the applicant's case.

After summing up by the parties, the Sub-Committee withdrew to make its decision, and sought advice from its legal adviser as to the appropriate phraseology of the decision.

DECISION

The Sub-Committee has carefully considered all the written information before it, and all the representations and views expressed at the hearing.

The Sub-Committee has noted that the application relates to the removal from the

licence of the condition relating to door staff.

The Sub-Committee has noted the concerns of the police relate to the potential for the increase in crime and disorder at the premises if it is not a condition of the licence that at least one SIA registered door supervisor is on the premises after 1am until closing time on Friday and Saturday nights.

In making the decision, the Sub-Committee has taken into account that the premises has been flagrantly in breach of its current licence condition relating to door staff, however it also acknowledges that the police chose not to enforce this condition as a result of an ongoing unwritten agreement between several premises in the vicinity to share their door staff.

The Sub-Committee has considered the crime figures presented by the police and the representations from the officer at the hearing and are satisfied that these premises have a very real potential for violence and disorder if not controlled by SIA registered supervisors. The trouble is more likely after midnight after people may be leaving the pubs in the locality and be under the influence of alcohol. The Sub-Committee is therefore of the opinion that it is proportionate and necessary for at least 1 member of SIA registered door staff to be on the premises from 1am on Saturday and Sunday mornings until the premises closes to uphold the licensing objective of prevention of crime and disorder, prevention of public nuisance and public safety.

Having considered the guidance, it is clear to the Sub-Committee, that this premises is benefitting from the late night economy and therefore has taken the view that the premises licence holder needs to ensure that they are working in partnership with interested parties and responsible authorities to uphold the licensing objectives.

The licence condition relating to door staff is therefore amended to the following:-

“A minimum of 1 SIA registered supervisor to be on the premises on Saturday and Sunday mornings from 1am until the premises closes”

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal against this decision. The parties are also reminded of the statutory right of responsible authorities and interested parties to seek a review of a licence on the basis that the licensing objectives are not being met.

Signed.....Dated.....

Councillor Helen Helme (Chairman)

**Any queries regarding these Minutes, please contact
Tom Silvani, Democratic Services - 01524 582132 - tsilvani@lancaster.gov.uk**