MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE HELD ON WEDNESDAY, 2 JUNE 2010

MEMBERS: Councillors Derek Levy (Chairman), Anne-Marie Pearce and Toby Simon

OFFICERS: Mark Galvayne (Principal Licensing Officer), Ellie Green (Trading Standards Officer), Catriona McFarlane (Legal representative), Sandra Bertschin and Kathy Swallow (Democratic Services Secretary)

Also Attending: Mr Barry Theo and Mr Pino Giambrone – The Bramley Rooms
Mr David Blackwood, Mr Stephen Foster and Mr Mick Sheridan – Sun Lounge
Martyn Fisher – Metropolitan Police Service

18
WELCOME AND INTRODUCTIONS

The Chairman welcomed all those present and introduced the Sub-Committee members.

19
DECLARATION OF INTERESTS

There were no declarations of interest in respect of items on the agenda.

20
THE BRAMLEY ROOMS, 161-163 BRAMLEY ROAD, N14

RECEIVED an application by Mr Barry Theo and Mr Adam Gabrielides to vary the Premises Licence

NOTED

1. The opening statement of Mark Galvayne, Principal Licensing Officer, including the following:
   a. the application sought to extend the hours for the supply of alcohol and live music and facilities for dancing on Fridays, Saturdays and Sundays;
   b. proposed condition 10 was withdrawn;
   c. conditions 11 to 20 had been agreed by the applicant;
   d. representations had been received from Trading Standards and 7 interested parties who were not present at the meeting.

2. The opening statement of Ellie Green, Trading Standards Officer, including the following:

a. following the applicant's agreement to the proposed conditions, the objections of Trading Standards related only to the extension of live music and facilities for dancing;
b. there were residential premises above and close by the applicant's premises;
c. live music from other licensed premises in the area was only allowed to 23.30;
d. there had been no resident complaints regarding noise nuisance;
e. Trading Standards noise testing outside the premises during live music had shown that noise was audible and could be considered a nuisance;
f. it was believed that 01:00 was a suitable time for live music and facilities for dancing to be provided to.

3. In response to Councillor Simon's comments regarding the concerns expressed by the interested parties over the extension of hours for the sale of alcohol, Trading Standards advised that there had been no recorded incidents at the premises since 2006 and therefore they had no concerns regarding the extension in hours for the sale of alcohol.

4. The opening statement of the applicant, Mr Barry Theo, including the following:
a. live music was amplified through the same sound system as recorded music and therefore was subject to the same noise controls;
b. the premises had been trading for 8 years and had never received any noise complaints from the residential premises above the applicant's premises;
c. the only noise complaint had been received from a premises over 100 yards away and it was felt that this was not directly related to the applicant's premises;
d. all doors and windows were shut during live music.

5. In response to Trading Standards the applicant, Mr Barry Theo, advised that music was generally turned down at about 12.30/12.45.

6. In response to Councillor Simon the applicant, Mr Barry Theo, gave an overview of the layout of the rear of the premises leading to the residential properties in Belgrave Gardens and it was agreed that the distance between the two sites was approximately 100feet.

7. The closing statement of Mark Galvayne, Principal Licensing Officer, drawing Members' attention to the relevant parts of the Council's Licensing Policy, highlighting paragraph 8.4.

8. The closing statement of Ellie Green, Trading Standards Officer, objecting to an extension past 01.00 for live music and facilities for dancing in relation to the licensing objective of prevention of public nuisance.

RESOLVED that

1. In accordance with the principles of Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7 of part 1 of Schedule 12A to the Act.

   The Sub-Committee retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.

2. The Licensing Sub-Committee resolved that the application be granted as amended in full as follows:

(i) Hours the premises are open to the public: no change.
(ii) Supply of alcohol (on supplies only):
Sunday from 12:00 to 01:00
Monday to Thursday no change
Friday to Saturday from 11:00 to 02:00
Good Friday and Christmas Day from 12:00 to 02:00
New Years Eve no change
(iii) Live music and facilities for dancing:
Sunday from 09:00 to 01:00
Monday to Thursday no change
Friday and Saturday from 09:00 to 02:00
New Years Eve no change
(iv) Recorded music, performance of dance and facilities for making music: no change
(v) Late night refreshment:
Sunday from 23:00 to 02:00
Monday to Thursday no change
Friday to Saturday from 23:00 to 02:00
Good Friday and Christmas day from 23:00 to 02:00
New Years Eve no change.

Conditions (in accordance with Annex 07 of the report)

Conditions 1 to 9 which are not disputed and 11 to 20 which were accepted at the hearing. Proposed condition 10 was struck by mutual agreement.

The Chairman made the following statement:

"We have heard from Trading Standards that there have been no noise complaints since 2006. Also none of the resident objections cite any particular incidents of noise nuisance. On this basis we are persuaded that the premises have been run responsibly with regard to noise nuisance to date and we believe they will continue to do so. The members of the Sub-Committee are persuaded that condition 11 is of importance in this regard."

21
SUN LOUNGE, 7 CHASE SIDE, N14

RECEIVED an application by Punch Taverns plc to vary the Premises Licence

NOTED

1. The opening statement of Mark Galvayne, Principal Licensing Officer, including the following:

a. the application sought to extend the hours the premises were open to the public, the supply of alcohol, provision of live music, recorded music, facilities for making music, facilities for dancing and late night refreshment on Fridays, Saturdays and Sundays;

b. all conditions sought by the Metropolitan Police and Trading Standards, other than that relating to the time of no new entry to the premises on Fridays and Saturdays (condition no. 25) had been accepted by the applicant;

c. representations had been received from the Metropolitan Police, Trading Standards and 2 interested parties, who were not present at the meeting.

2. The opening statement of Ellie Green, Trading Standards Officer, including the following:

a. Trading Standards objected to the variations sought because of a number of breaches of the existing licence:
   - 13 November 2009 – legality of smoking shelter, loud outdoor sound system and use of rear garden after 23.20;
   - 21 November 2009 – music audible at rear of premises, patrons entering after the permitted last entry time;
   - 1 April 2010 – a full licence compliance inspection was carried out and breaches of 2 conditions (toilet checks and operation of CCTV monitor) were found;
   - 10 April 2010 – loud music inside and outside the premises.

b. as there had only been approximately 4 months since the last variation application was refused, Trading Standards believed there had been insufficient time to judge whether the premises had improved enough to justify an extension of hours, especially as typically less noise complaints were received during winter months;

c. therefore representations were made on the grounds of public safety and the prevention of public nuisance together with support of paragraphs 8.3 and 8.4 of the Council's Licensing Policy.

3. In response to Stephen Foster, the applicant's representative, Ellie Green, Trading Standards Officer, advised that there had been no noise complaints relating to the premises since August 2008.

4. The opening statement of Martyn Fisher, Metropolitan Police, including the following:

a. as only 4 months had lapsed since the last variation application was refused insufficient time had passed to objectively judge whether the premises had improved adequately to allay concerns;

b. there had been 3 recent recorded crime incidents:
   - 16 August 2009 – assault causing actual bodily harm

- 25 October 2009 – violence against the person
- 15 November 2009 – violence against the person

c. the premises were situated within a designated alcohol control zone;

d. the Metropolitan Police reiterated the concerns expressed by Trading Standards and highlighted paragraphs 8.3 and 8.4 of the Council's Licensing Policy.

5. In response to Stephen Foster, the applicant's representative, Martyn Fisher, Metropolitan Police, confirmed that only 1 of the recorded police incidents had occurred within the premises.

6. The opening statement of Stephen Foster, the applicant's representative, including the following:

a. the application sought an extension of only 2 hours on Fridays and Saturdays to offer flexibility as intended by the 2003 Licensing Act;

b. substantial financial investment had been made in the premises;

c. during the day the premises catered for office workers and families and during the early evening operated as a classic pub serving good food;

d. the premises was situated on the high street and surrounded by commercial premises, the local police station and transport hub;

e. a new manager, with over 23 years experience, had been appointed and over the last 6 months substantial improvement in the operation of the premises had been made with no police incidents reported since November 2009;

f. the premises had opened to 03:00 twice in May, through Temporary Event Notices, without any problems;

g. all conditions sought, except 1 (condition 25), had been agreed which would regulate all areas of operation and so should allay any concerns the Sub-Committee may have regarding the objectives of the Council's Licensing Policy;

h. the unresolved condition related to the time of no new entry to the premises, the applicant sought 01:00 as other licensed premises in the area closed at 01:30;

i. the Sub-Committee were requested to grant the application in light of the appointment of an experienced manager and the lack of any problems over the past 6 months which included the busiest time of the year for licensed premises.

7. In response to Councillor Simon, Stephen Foster, the applicant's representative, confirmed that there were residential flats above commercial premises in the area and that the immediate vicinity was of mixed use. However he highlighted that no representations had been received from any immediate neighbours.

8. In response to Councillor Pearce, Stephen Foster, the applicant's representative, explained that condition 19, relating to restricted toilet checks, was felt to be appropriate by the Metropolitan Police as there was no history of drug problems associated with the premises.

9. In response to the Chairman, Stephen Foster, the applicant's representative, confirmed that the new manager was very experienced.

10. In response to Ellie Green, Trading Standards Officer, Stephen Foster, the applicant's representative, confirmed the new manager held a personal licence and was the Designated Premises Supervisor (DPS) and would have a greater presence than the previous DPS.

11. Ellie Green, Trading Standards Officer, commented that no new entry to the premises after midnight on Friday and Saturday was considered appropriate as there were a number of other licensed premises in the locality with closing times between midnight and 01:00. Therefore no new entry after midnight would assist the door staff in dealing with patrons from other premises.

    Stephen Foster, the applicant's representative, advised that the premises always had the right of admission and that no new entry after midnight was not necessary only preferable to Trading Standards.

12. The closing statement of Mark Galvayne, Principal Licensing Officer, drawing Members' attention to the relevant parts of the Council's Licensing Policy, highlighting paragraph 8.4.

13. The closing statement of Ellie Green, Trading Standards Officer, objecting to an extension of hours because of the breaches of existing conditions.

14. The closing statement of Stephen Foster, the applicant's representative, advising that following the appointment of an experienced manager there had been no crime and disorder incidents over the last 6 months, a period of heightened scrutiny. All breaches of conditions highlighted by Trading Standards had been dealt with by the applicant. The substantial conditions agreed would ensure adherence with the Council's Licensing Policy objectives.

RESOLVED that

1. In accordance with the principles of Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7 of part 1 of Schedule 12A to the Act.

2. The Licensing Sub-Committee resolved that the application be granted in full as follows:

(i) Hours the premises are open to the public:
Sunday to Thursday no change
Friday to Saturday from 09:00 to 03:30
Christmas Eve from 09:00 to 03:30
and from start of hours on New Years Eve to the end of New Years Day

(ii) Supply of alcohol (on and off supplies):
Sunday to Thursday no change
Friday to Saturday from 09:00 to 03:00
Christmas Eve from 09:00 to 03:00
and from start of hours on New Years Eve to end of New Years Day

(iii) Live music, recorded music, facilities for making music and facilities for dance:
Sunday to Thursday no change
Friday to Saturday from 09:00 to 03:00
Christmas Eve from 09:00 to 03:00
and from start of hours on New Years Eve to the end of New Years Day

(iv) Late night refreshment:
Sunday to Thursday no change
Friday to Saturday from 23:00 to 03:30
Christmas Eve from 23:00 to 03:30
and from 23:00 on New Years Eve to 05:00 on New Years Day

Conditions

Conditions 1 to 17 which are not disputed and conditions 18 to 24 and 26 to 30 as now agreed by Trading Standards, the Metropolitan Police Service and the applicant. Condition 25 shall read "There will be no new entry to the premises after 01:00 on Friday and Saturday".

Annex 1 - Mandatory Conditions

1. No supply of alcohol may be made under the premises licence : (a) At a time when there is no designated premises supervisor in respect of the premises licence; or (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. Where the licence includes a condition that individuals are required to carry out any security activity at specified times at the premises each individual must be licensed by the Security Industry Authority.

Annex 2 - Conditions consistent with the Operating Schedule

4. With the exception of Amusement with prize machines, there shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.

5. Regulated entertainment by way of live music shall be restricted to a maximum of two performers at any one time.

6. If a disc jockey is used on any night, then he/she shall ask customers to leave quietly.

7. Additional patrols shall take place by members of staff internally and externally to limit any noise pollution when regulated entertainment is being offered within the premises.

8. Soft drinks and non-alcoholic drinks shall be available.

9. An additional CCTV camera to be placed at the front of the premises to cover the front drinking area.

10. Children under 18 years of age shall not be permitted in the public areas of the premises after 23.00.

11. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

12. At least 6 prominent, clear and legible notices shall be displayed throughout the premises including the toilets warning customers that drugs will not be tolerated.

13. A digital CCTV system must be installed at the premises complying with the following criteria: (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the counter, alcohol displays and all the floor area; (2) Cameras on the entrances must capture full frame shots of all people entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of the screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Cameras facing the entrance door must capture a minimum of 16 per second; (6) Be capable of visually confirming the nature of the crime committed; (7) Provide a linked record of the date, time and place of any image; (8) Provide good quality images - colour during opening times; (9) Operate under existing light levels within and outside the premises; (10) Have the recording device located in a secure area or locked cabinet; (11) Provide a monitor to in full view of customers entering the premises. This monitor must display the images of said customers; (12) Have a separate monitor to review images and recorded picture quality; (13) Be regularly maintained to ensure continuous quality of image capture and retention; (14) Have signage displayed on the front entrance door and in the customer area to advise that recorded CCTV is in operation; (15) Digital images must be kept for 31 days; (16) Police will have access to images at any reasonable time; (17) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If

this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

14. All doors and windows shall be kept closed (but not locked) during regulated entertainment, except for access to and egress from the premises.

15. The Management shall make subjective assessments of noise levels at the perimeter of the premises approximately hourly, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents. Records shall be kept of the times, dates and any issues discovered. These shall be kept for six months. Records must be made available to an authorised officer of the Council, upon request. Where monitoring by staff identifies that noise from the premises audible at the perimeter, measures shall be taken to reduce this i.e. turning down the volume.

16. All staff at the premises shall receive induction and refresher training (at least every three months), relating to the sale of alcohol.

17. All training relating to the sale of alcohol shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request.

REQUESTED BY METROPOLITAN POLICE SERVICE:

18. All instances of crime & disorder shall be reported to the Police and be kept in an incident logbook.

19. Toilets at the premises shall be checked for any sign of drug use on average every hour between 20:00 and closing time. A record shall be kept of the times, dates, and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or the police upon request.

20. A minimum of three door supervisors shall be employed on the premises on Friday and Saturday from 21:00 until the premises is closed. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance. Door Supervisors shall be easily identifiable by wearing either reflective jackets or reflective armbands.

21. Any door supervisors employed shall be from SIA approved contractors.

22. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a ‘Drinking Control Area’ and that alcohol should not be taken off the premises and consumed in the street.

These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

REQUESTED BY TRADING STANDARDS SERVICE:

23. Children under 14 years of age shall not be permitted in the public areas of the premises after 21:00. Children under 18 years of age shall be supervised by an accompanying adult at all times.

24. A challenge 21 policy shall be employed whereby those who appear to be under the age of 21 and are asking to purchase alcohol will be asked for identification to prove their age. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.

25. There will be no new entry to the premises after 01:00 on Friday and Saturday.

26. The rear garden at the front of the premises shall not be used after 23:00 Monday to Saturday and 22:30 on Sunday.

27. An external area at the front of the premises shall be designated for the use of smokers from 23:00 until closing time on Mondays to Saturdays and from 22:30 until closing time on Sundays. Exceptions to this condition are customers entering or leaving via the doors at the front of the premises and those using the designated smoking area. There shall be no more than 15 persons using this designated area during these times and no alcoholic drinks or glass containers shall be permitted in the smoking area during these times. The designated area shall be adequately supervised to control the number and behaviour of patrons so as to not cause noise nuisance. Notices shall be displayed in the area specifying the terms of its use and asking patrons to respect the needs of local residents and to use the area quietly.

28. At least one door supervisor shall remain directly outside the premises for 30 minutes after the premises has closed on Fridays and Saturdays to ensure the safe and quiet dispersal of patrons.

29. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request.

30. Any candles used at the premises shall be put in a candleholder and positioned to minimise any risk of customers being burnt or coming into contact with naked flames.

The Chairman made the following statement:

“The Sub-Committee are persuaded by the representations made today on behalf of the applicant that the premises are now run in a manner which

promotes the licensing objectives and are therefore granting the application as submitted, with the addition of the agreed conditions and condition 25 as decided by the Sub-Committee."

22
FIO'S FOOD CENTRE, 100, 102 & 104 CROWN LANE, N14

RECEIVED an application from Trading Standards to review the Premises Licence

NOTED

1. Mr Mark Galvayne (Principal Licensing Officer) made an opening statement, including the following:
   a. That Trading Standards have requested a review of the premises licence on the grounds 'of protection of children from harm.' This was in light of alcohol being sold to a child at the premises, on 28 October 2009, during a Trading Standards purchase test.
   b. The Licensing Review included three issues that require implementation, as recommended by trading standards. On the 21 May 2010 the premises owners agreed to the following conditions;
   - A modification to the licence's conditions,
   - The replacement of the current Designated Premises Supervisor (DPS) Mr Firat Mayil.
   c. However, the final recommendation of a 1 month suspension has been disputed.

2. Ms Ellie Green (Principal Trading Standards Officer) then made an opening statement, including the following;
   a. Ms Ellie Green then summarised the licence's recent history relating to their current recommendations and the following incidents were referred to;
   b. In August 2009 a complaint was received from a member of the public regarding the underage sale of alcohol. In response to this, Trading Standards sent written advice regarding the sale of alcohol.
   c. In September 2009 Trading Standards visited the premises and 5 breeches in the licence were found, including a lack of staff training logs and refusals' logs. Supporting material and written advice was then sent to the premises.
   d. In September 2009 the local Police received a complaint about the underage sale of alcohol and the premises received a visit from the police and more advice was issued by Trading Standards.
   e. In October 2009 a test purchase was arranged using a 16 year old volunteer, who successfully purchased alcohol. Another inspection visit was then carried out and no completed training log could be found.
   f. In November 2009 another test purchase was carried out, with the volunteer nearly being able to purchase alcohol, but intervention by the store's supervisor prevented this. When questioned, the sales assistant stated that they had only received verbal training regarding the sale of alcohol.

g. In December 2009, another visit was carried out and no up to date refusal logs or training logs could be found.
h. To date only one training log has been submitted by Mr. Firat Mayil for March 2010.
i. Ms Ellie Green then recommended that the 1 month suspension of the licence was necessary to ensure that the premises had a chance to replace their DPS and ensure all staff received training to sufficient standards. This period would also give time for the relevant procedures for recording training and refused sales to be implemented.

3. The applicants' licensing advisor Mr. Kilachec then gave his opening statement, including the following;
   a. That the applicant of the license Mr. Firat Mayil currently managed 3 large businesses, a separate cash and carry and property and media businesses, so was unable to be present at the Southgate branch at all times. The company is currently recruiting a new DPS for the Southgate branch as requested by Trading Standards.
   b. Currently around 20 staff were employed within the Fio Montana franchise and all staff undertake training at the Whetstone branch. Once fully trained they are then dispatched to the other branches depending on their skills and experience. Mr. Firat Mayil stated that he and a colleague regularly conducted the training and that a training session was due to take place today.
   c. Mr Mr Kilachec stated that training logs for all staff were kept at the Whetstone branch, so were unavailable when requested by Trading Standards Officers at the Southgate branch. These documents were subsequently supplied to the committee for consideration.
   d. Mr. Firat Mayil then stated that he had been concerned about the running of the Southgate branch, due to its close proximity to a secondary school. Therefore to ensure no further problems arose with underage alcohol sales, he had ensured that his most experienced members of staff were now employed at the Southgate branch.

RECEIVED a copy of the premises refusal logs and training logs from Autumn 2009 to date.

4. Requests were then made by the Chairman for closing statements. No Closing Statement was received from Mr. Mark Galvayne.

5. Ms Ellie Green gave her closing statement and stated that Trading Standards were not confident with the way the business in Southgate was being run and felt that a period of one month would allow all staff to receive the relevant training and for the relevant licence procedures to be put in place.

6. Mr Kilachec spoke on behalf of Mr. Firat Mayil and added as a closing statement that the recorded incident of underage alcohol sale had taken place some 8 months ago, and no other incidents had been recorded since. Changes had since been made to the way the business was run and he now felt confident that these problems would not be repeated.

7. The Committee then retired to consider their decision and the newly submitted training logs and refusal logs. Prior to their final decision they questioned Mr Kilachec and Mr. Firat Mayil regarding the training logs and refusal logs.

RESOLVED

The Chairman stated that; "We heard evidence from Trading Standards that there had been one failed test purchase, one recovered test purchase and one refusal. A number of record inspections had revealed breaches of conditions 4 and 5 of licenses 200900313 and 200900456, which required 'All staff on the premises to receive induction and refresher training, relating to the sale of alcohol"; and that "all such training shall be documented, and records kept at the premises. These records shall be made available to the police and the local authority upon request.' Requests from Trading Standards Officers for meetings had also not yielded any response.

From the Licence holder, while no written representation had been submitted, we heard oral evidence in the interests of procedural fairness. We have allowed the submission of documentary evidence, specifically, copies of staff training and the refusals logs.

As Chairman, I considered whether to allow admittance of this late data and decided that it was in the interests of fairness to permit it. I further ensured, out of fairness, that a copy of the said documents, were given to the Trading Standards representatives, who along with fellow members of the Committee were given the opportunity to ask questions and for the licence holder to respond, and make further closing submissions on the documents.

We were told that the principal place of business for the company is at Whetstone, where most of the training was carried out, by either Mr. Firat Mayil himself or by the Designated Premises Supervisor (DPS) at the Whetstone premises. Mr. Firat Mayil stated that records of this training were kept at Whetstone.

Mr. Firat Mayil stated that he had recently strengthened the staff at the Southgate branch (which is the subject of this licence). At the hearing the licence holder produced training records and refusal logs, which he told us related to the Southgate store staff.

At the conclusion of their application for review, Trading Standards requested that licensing conditions be strengthened to ensure that they achieve the licensing objectives.

1. The existing licence conditions are amended to those shown in Annex 4.
2. Changing the DPS to someone with greater day-to-day involvement with the business.
3. A suspension of the license until the old conditions 4 and 5 are complied with.

4. That licences 200900313 and 200800354 are revoked.

Regarding point 1; the revised conditions as suggested by Trading Standards were accepted by the licence holder in writing on 26 May 2010.

Regarding point 2; as of the 1st June 2010, the licence holder submitted an application to change the DPS to Mr Ali Mayil (the father of Mr Firat Mayil), who holds a personal licence. However this process remains to be completed.

Regarding point 3; the sub committee is not satisfied that the licence holder has demonstrated sufficient compliance with either old conditions 4 and 5 or revised conditions 9 and 10.

Therefore we have decided to suspend the licence LN/200900456 for a period of 28 days from today, in order that the Licence Holder can demonstrate to the satisfaction of Trading Standards:

A) The type, nature and scope of the training procedures provided,
B) The frequency of the training given,
C) The recording of training information,
D) The availability of records stored at these premises.

This period of 28 days will give time for a new DPS to be substituted. We further direct that the existing DPS be removed, as he has not been able to demonstrate regular supervision of these particular premises.

If, however, within the period of 28 days suspension, Trading Standards are satisfied that all the conditions have been complied with and a new DPS is in place, we authorise the Head of Licensing to lift the suspension immediately upon written confirmation from Trading Standards.

The committee noted that licences 200900313, 200800354 and 200500529 were surrendered to the Council on 21 May 2010.

The Chairman then thanked all those for attending and for their patience whilst a decision was reached. The meeting was then closed.