



**LICENSING ACT 2003
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council

Premises licence number

PRM 0327 (Issued 27/01/2010)

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
LIP LICKING FRIED CHICKEN, 40 PIER STREET,	
Post town ABERYSTWYTH	Post code SY23 2LN
Telephone number 01970 626 466	

Where the licence is time limited the dates
LICENCE NOT TIME LIMITED

Licensable activities authorised by the licence
LATE NIGHT REFRESHMENT

The times the licence authorises the carrying out of licensable activities:

LATE NIGHT REFRESHMENT:

MON-FRI: 2300 – 0400 Hrs.

SAT: 2300 – 0430 Hrs.

SUN: 2300 – 0200 Hrs.

The opening hours of the premises

MON-FRI: 1500 – 0415 Hrs.

SAT: 1500 – 0445 Hrs.

SUN: 1500 – 0215 Hrs.

**Where the licence authorises supplies of alcohol whether these are on and/
or off supplies**

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr. KAZIM OZDEMIR,

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

- (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.

Mandatory condition where the premises licence includes a Condition that at specified times one or more individuals must be at the premises to carry out a security activity:

- (1) Each such individual must be licensed by the Security Industry Authority.
- (2) But nothing in (1) above requires such a condition to be imposed—
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to—
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section—
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions consistent with the operating Schedule

PROMOTION OF LICENSING OBJECTIVES:

- a. General- All four licensing objectives:** Shop has (full) CCTV system (we will ensure for whole times that system work regularly). We will take every steps to make sure that public are safe within our property. We will be serving food within our premises, there for we will make sure noise will not disturb our neighbours.
- b. Prevention of Crime and Disorder:** As we indicated above our premises will be surveillanced by our dedicated CCTV cameras all the time.
- c. Public Safety:** We have already got Public Liability Insurance. We will ensure for whole time that our premises will be insured.
- d. Prevention of Public Nuisance:** We will not carry out any activities which will disturb public. Food will be consumed within. Alcohol will not be allowed.
- e. Protection of Children from Harm:** We will not carry out any activities which will arise concern for children. We will not allow any children to enter work areas.

PLEASE SEE MEDIATION, LICENSING HEARING DECISION and CONSENT HEARING DECISIONS WHICH IMPACT ON THE ABOVE OFFERINGS.

Annex 3 - Conditions attached after a hearing by the licensing authority/Mediation meeting.

MEDIATION MEETING at Aberystwyth Police Station at 1400 hrs 23rd November 2009. Present were the Applicant Kazim OZDEMIR, John EVANS (Police Licensing Officer) and PS 581 Shaun RICHARDS. The following matters were discussed:

- In the event that the hours asked for are granted CCTV will be updated and provided to the specification of Dyfed-Powys Police as set out in the Police letter dated 27th October 2009 paragraph 9 will be achieved (sound recording inside the premises) within 3 calendar months of date of Licensing Panel Hearing.
 - Door supervision – Mr Kasim offers door supervision generally on Friday and Saturdays from 0100hrs to 0330hrs. Police do not agree with these timings and request 2300hrs to end of hours.
 - Hours – no agreement.
- Representations not withdrawn.**

MEDIATION MEETING at Penmorfa, Aberaeron at 1345 hrs on 25th November 2009. Present were the Applicant Kazim OZDEMIR and John Evans (Police Licensing Officer). The following matters were discussed:

- As per mediation of 23rd November 2009 re. CCTV but during hours shown below.
- Mon-Fri: 1100-0400hrs. Sat: 1100-0430hrs. Sun: 1100-0300hrs.
- Door supervision: Each Friday and Saturday 1 x SIA Doorman from 0100hrs to end of hours (or sooner if the premises closes sooner).

Representations withdrawn.

LICENSING PANEL: Penmorfa, Aberaeron at 1400 hrs 25th November 2009.

The application for a new premises licence was refused. The reasons for decision were:

Taking into account the Council's Cumulative Impact Policy (adopted in May 2009) the Panel is not satisfied, on hearing the Applicant's evidence, that he can demonstrate that there will be no negative impact on one or more of the licensing objectives. The Applicant has failed to rebut the presumption that such applications should be refused.

The relevant objectives being:-

- Prevention of Crime and Disorder.
- Prevention of Public Nuisance.

APPEAL at ABERYSTWYTH MAGISTRATES COURT.

An appeal against the above decision was lodged at Aberystwyth Magistrates Court.

On 20th January 2010 a Consent Order was drafted between Kazim Ozdemir (Appellant) and Ceredigion County Council (Respondent).
Upon hearing Counsel for the Appellant and Solicitor for the Respondent BY CONSENT IT IS AGREED AS FOLLOWS:

1. That a Premises Licence is granted to the Appellant in accordance with the Operating Schedule (Set out in document C14 Box P) as amended by Police Mediation Schedules dated 23.11.09 and 25.11.09 respectively and as further amended by the below:
 - a. HOURS: Late Night Refreshment:
Mon-Fri: 2300-0400hrs.
Saturday: 2300-0430hrs.
Sunday: 2300-0200hrs
 - b. Opening Hours:
Mon-Fri: 1500-0415hrs.
Saturday: 1500-0445hrs.
Sunday: 1500-0215hrs.

CONDITIONS:

- **CCTV: To be installed and operational in accordance with Heddlu Dyfed-Powys Police specifications as set out below and to Police satisfaction in writing failing which this licence shall not come into effect.**
 - a. **All footage must be of good quality and of a minimum performance capability sufficient to identify individuals.**
 - b. **It must be in colour.**
 - c. **All footage during the duration of the Licensable activities to be retained for a period of 30 days.**
 - d. **The CCTV system must operate continuously and if a defect arises the Police must be informed and immediate arrangements made to rectify the fault.**
 - e. **All footage MUST on demand be made available to a Police Officer for viewing and a copy of that footage made immediately available to a Police Officer.**
 - f. **At all times during the operation of the premises there must be a competent person on the premises capable of reply and be able to undertake the export of recordings quickly onto a removable storage medium. Only VHS tape, CD or DVD format is acceptable to the Police. The master copy will be available to the Police on demand.**

- g. The system must incorporate a means of transferring images from the hard drive to a format that can be played back on any Microsoft Windows compatible computer. The application software required to launch and view recorded images must either be included as part of the standard Microsoft operating system installed or be installed to the recorded media when the data is copied to that media.**
 - h. The whole of the entry and exit area in the licensed area must be covered by cameras, and there must not be any hidden or obscured areas. This will deal with issues which have arisen outside the premises when customers have been arriving or leaving.**
 - i. The system must be capable of recording sound inside the premises. The purpose of this is to afford the applicant and his staff with some protection from hate crime and will of course provide first rate evidence should it unfortunately occur.**
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- SIA – As set out in the Police Mediation schedule dated 25.11.09 i.e. One Sia Doorperson to be employed at the premises as follows: Friday 0100-0400hrs. Saturday 0100-0430hrs or sooner if the premises close earlier.**
 - Cleaning And Sweeping: The Appellant to clean sweep the frontage of the premises up to 20 yards each way left and right including the pavement and gutter every 3 hours plus 15 minutes after closing time. The Appellant to steam clean the frontage of the premises outside the premises, including pavement and gutter every Sunday**
 - That the case be relisted on the first available date after 14th February 2010. Listed 17th February 2010 at 1100hrs.**
 - That upon this Licence coming into effect the current Licence (PRM 0327) shall be surrendered.**
 - Each party to bear their own costs.**

Dated 20th January 2010 and signed by Counsel for the Appellant and Solicitor on behalf of Respondent.

Annex 4 – Plans

