



NOTICE PURSUANT TO THE LICENSING ACT 2003

Application has been made for a review of the premises licence for Chiquitas, Wards End Loughborough, Leicestershire, LE11 3HB.

The grounds stated for the review relate to the licensing objectives of prevention of crime and disorder and public safety, and are reproduced here:

1. These premises, a food outlet, have the benefit of a licence issued under the Licensing Act 2003 which authorises the sale of late night refreshment from 23:00 to 03:00 from Monday to Saturday and from 23:00 to 02:00 on Sunday. The licence was issued on the 12th March 2007.
2. Amongst the conditions attached to the licence is one requiring the provision of a CCTV camera.
3. On the 13th April 2008 Insp Mark Parish visited the premises at 03:50 and found hot food still being served. He spoke to a Mr Sassi, who said he was in charge, and pointed out that sales should have ceased. Mr Sassi insisted that he could continue if he was busy. When Insp Parish pointed out this was not the case Mr Sassi said he would apply for a later licence.
4. On the 3rd May 2008 Insp Parish again found the premises operating at 03:50.

5. On the 10th May 2008 PC Peter Colgate visited the premises at 21:25 and reminded staff of the need to close at 03:00. He advised them to contact the police if they had any difficulties with members of the public refusing to leave.

6. At 01:00 on the 11th May 2008 PC Colgate spoke to the premises licence holder Mr Hassan and reminded him of the need to close at 03:00. Pc Colgate visited the premises at 03:35 and found them still trading.

7. On the 12th June Sgt Ian Stone visited the premises at 18:15 with the intention of speaking to Mr Hassan regarding these breaches of his licence. He was not available so Sgt Stone explained the reason for his visit to staff and sent the attached letter to Mr Hassan.

8. On the 20th July Sgt Stone wrote to Mr Hassan complaining of further late operation. A copy of that letter is attached.

9. On the 23rd July 2008 Mr Hassan made an application to vary the licence hours to 04:00 following Friday and Saturday nights.

10. On the 28th July 2008 Mr Chris Lambert, licensing officer at Charnwood Borough Council, wrote to Mr Hassan warning him regarding late opening as set out in the attached letter.

11. On the 30th July 2008 Sgt Stone received a telephone call from Mr Hassan apologising for the problems explaining that he had sacked the person responsible.

12. On the same day I made a representation regarding the application to extend the opening hours. A copy is attached.

13. On the 3rd August 2008 PC Colgate reported attending the premises at 03:30 and seeing food being prepared with customers inside and outside the premises.

14. On the 19th August 2008 Mr Hassan attended Loughborough police station and spoke to Sgt Stone regarding these issues. During this conversation Mr Hassan confirmed that he did not have CCTV at the premises. As a result of this conversation Mr Hassan withdrew his application to vary the hours with the intention of re-applying at a later date.

15. On the 27th August 2008 PC Michael Kaiser, a crime reduction officer, attended the premises. He found a CCTV camera attached to a wall but not to anything else. He spoke to Mr Hassan by telephone and was told that a system would be installed although he would not say when. PC Kaiser gave advice regarding such a system and left documentary advice.

16. On the 21st September 2008 Ins Parish found the premises operating at 03:20.

17. About 03:45 on the 27th September 2008 police attended the scene of a disturbance in Wards End, Loughborough. A male had been stabbed and CCTV showed that he was part of a group which had been to the premises which was serving after 03:00.

18. On the 28th September 2008 Sgt Stone observed the premises trading from 03:05 to 03:30 when he entered and spoke to the two staff Natalia Handke and Mundha Mozad. CCTV was not fitted, both members of staff claimed not to know anything about licensed hours and there was no licence summary displayed in the premises.

19. About 04:00 Sgt Stone reported seeing a group outside the premises speaking to Mozad. He was later advised by the Town CCTV operator that food was sold to the group.

20. We believe this sequence of events demonstrates a protracted failure on the part of the licence holder to adhere to the conditions of the licence despite frequent interventions by the responsible authorities. In our view allowing this licence to remain in force will, on the balance of probability, continue to undermine the licensing objectives.

Dated: 1st October 2008

Any objections or representations in respect of the application should be made in writing to the Director Partnerships & Customer Services, Charnwood Borough Council, Council Offices, Southfield Road, Loughborough, Leicestershire, LE11 2TX. Representations/objections must be received by 29th October 2008. The applicant will be supplied with copies of any objections.

A record of the application can be inspected at the Council Offices at the aforementioned address during normal office hours.

It is an offence to knowingly or recklessly make a false statement in or in connection with an application. Any person found guilty of such offence shall be liable on summary conviction to a maximum fine in the sum of £5000.00