

Minutes of the meeting of the LICENSING SUB-COMMITTEE held on TUESDAY
4 JANUARY 2022 at 3:00 pm

Present: Councillor McLean (Chair)
Councillors Alexander and Marlow

Officers: E Fisher (Senior Licensing Officer), M Tiley (Solicitor - Litigation) and
J Crighton (Committee Manager)

Also Present: Mr B Ates (Premises Licence Holder), G McCormack (Licensing Officer
[Thames Valley Police]), Supt M Tarbit (Thames Valley Police),
Sergeant M Thorn (Thames Valley Police), Inspector M Hardy (Thames
Valley Police), Councillor R Bradburn and J Sloan (Senior Licensing
Officer)

LSC14 DECLARATIONS OF INTEREST

None disclosed.

**LSC15 APPLICATION FOR A SUMMARY REVIEW OF A PREMISES LICENCE -
ATESH, 599 GRAFTON GATE, CENTRAL MILTON KEYNES**

The Sub-Committee considered an application for a Summary
Review of a Premises Licence in respect of Atesh, 599 Grafton Gate,
Central Milton Keynes.

The Senior Licensing Officer advised the Sub-Committee that a
hearing was necessary to determine an application for a Summary
Review of Atesh premises licence under Section 53a of the Licensing
Act 2003.

The application permitted a very rapid means to tackle serious crime
and or disorder at a premises licensed for the sale of alcohol and
Section 182 of the Guidance stated this action should be “reserved
for the most serious matters which cannot be adequately or
otherwise redressed unless urgent action is taken”.

The application had been submitted by the Chief Officer of Thames
Valley Police for reasons which related to serious crime.

G McCormack (Thames Valley Police) informed the Sub-Committee
that, at approximately 01.10 hours on 27 December 2021, a serious
assault had taken place outside the premises which had resulted in

two males being stabbed; one victim had sustained life altering injuries and the second male had sustained injuries defined as life threatening who, subsequently, passed away on 28 December 2021.

It was noted that the victims had been in attendance at the premises leading up to the assault which had taken place in the smoking area.

It was reported that Milton Keynes University Hospital had contacted the Police at 01.30 hours advising that the victims had been presented with stab wounds.

The Sub-Committee noted that during the investigation into the assault, which was being treated as a murder investigation, Thames Valley Police had requested Mr Ates, the premises licence holder, and Mr Ates' second cousin to provide CCTV footage of the incident. However, both had become evasive and reluctant to do so which was a breach of 2.2 of the conditions of the licence which states that 'recordings shall be made available on request of the Police or authorised officers to view or remove for evidential purposes'.

It was noted that when the requested footage was eventually provided, which was at 6.00 am on 27 December 2021, it did not cover the smoking area to the rear of the premises, where the assault had taken place, as this had been temporarily introduced due to Mr Ates hiring the premises for events over both floors of the venue.

Under normal operation of the premises, patrons who did smoke and occupied the ground floor would exit the premises to the front of the building and those on the first floor would use the balcony. However, on the night in question, patrons who were attending the event on the ground floor were directed to the rear of the premises to use the temporary smoking area.

The temporary smoking area had been situated next to a fire door, no additional lighting had been put in place and the area had been insecure whereby patrons could enter and exit through the makeshift fences that had been surrounding the area.

There had been a total of ten door supervisors on duty on the night in question and it was noted that several had not been displaying their SIA licence armbands in a visible manner and two had not had their SIA licences on them, which was a requirement.

It was further noted that all door supervisors had not been wearing body worn cameras, high visibility vests for those supervisors situated outside and no clear identifiable markings for those situated within the premises, which was a breach of 2.6 of the conditions of

the operating schedule which states that 'door supervisors shall wear body cameras when on duty'.

It was reported that, upon questioning Mr Ates, Mr Ates' second cousin and the door supervisors, it became clear that all had been aware that an altercation had taken place in the temporary smoking area and they had failed to call emergency services.

Both victims had been taken by car to hospital by someone that had been with them, and two other males had been seen exiting the venue by climbing over the makeshift fences that had been surrounding the temporary smoking area and had left by car.

Upon arriving at the premises, the Police had requested Mr Ates to close the venue to preserve the crime scene. However, he had initially refused to carry out the request voluntarily and only did so after the Police advised him that they had the power to close the premises.

The Sub-Committee had expressed concern that Mr Ates had a lack of knowledge and understanding of the premises licence conditions and had admitted to door staff supervisors having not ever worn body worn cameras. It also had grave concerns that nobody had dialled the emergency services after the assault had taken place.

In view of the evidence before it, the Sub-Committee was satisfied that the requirements set out under Section 53a of the Licencing Act 2003 had been met, and the actions of Mr Ates could seriously undermine the investigation, and his position as premises licence holder, and to suspend the premises licence was the most appropriate course of action having also considered the Police proposal.

RESOLVED -

That the Licensing Objectives of the 'Prevention of Crime and Disorder' and 'Public Safety' had not been met and that an interim step be imposed to suspend the premises licence with immediate effect until a full review be held.

THE CHAIR CLOSED THE MEETING AT 4:34 PM