

Meeting Licensing Committee

Portfolio Area Communities, Community Safety and Equalities

Date 27th March 2025

APPLICATION TO VARY THE SPECIFIED DESIGNATED PREMISES SUPERVISOR OF THE OVAL WINES, 9 THE OVAL, STEVENAGE, SG1 1HF

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1 PURPOSE

1.1 To determine an application for the Variation of Specified Designated Premises Supervisor at The Oval Wines, 9 The Oval, Stevenage, SG1 1HF. Senior Licensing Officer Gillian Akroyd, on behalf of Hertfordshire Constabulary, has made representations.

2 RECOMMENDATIONS

2.1 That the Committee reviews the evidence presented by the responsible authority and the applicant. The licensing authority must restrict its consideration to the issue of crime and disorder and if it considers it necessary, reject the application for this variation, or grant the variation.

3 SUMMARY OF APPLICATION

3.1 The current premises licence holder of The Oval Wines, 9 The Oval, Stevenage SG1 1HF, Mr Emrah Oruc, submitted through a licensing agent, an

application to vary the Designated Premises Supervisor from Polat Hasan to Emrah Oruc on 28th February 2025. **A copy of the application is attached at Appendix A.**

- 3.2 On 28th February 2025 Senior Licensing Officer (SLO) Gillian Akroyd submitted a representation to this application stating that Mr E Oruc being the new proposed DPS would undermine the crime prevention objective Section 37 (5) Licensing Act 2003. **A copy of the Police Objection notice is attached at Appendix B**
- 3.3 This application to vary the DPS was accepted as valid and duly made by the Council on 28th February 2025.

4 BACKGROUND INFORMATION

- 4.1 The Oval Wines is located in the shopping precinct at The Oval, Stevenage. It has a premises licence in place which authorises the sale of alcohol for consumption off the premises, Monday to Sunday between the hours of 07:00hrs and 23:00hrs. **A copy of the Premises Licence is attached at Appendix D**
- 4.2 The Police applied to the Council for the review of the Premises Licence for The Oval Wines on 25th October 2025 for failing to promote all four of the licence objectives. The application for review was heard by the licensing committee on 19th December 2024.
- 4.3 The committee during the review of the Premises licence accepted that there was evidence of multiple incidents of breaches of licence including supply/sales of illegal/illicit products, evidence of drugs paraphernalia and residue of cocaine in various public and private areas of the premises.
- 4.4 The premises have failed to observe their licensing conditions attached to the Premises Licence for The Oval Wines, predominantly Annex 2 Condition 1 which refers to the requirement for a digital CCTV system recording images which will be retained in an unedited form for up to 30 days and which shall be made available to any responsible authority upon request, however on multiple occasions when Police have requested CCTV footage it has been unavailable. The Designated Premises Supervisor at the time, Polat Hasan has also failed to make himself available to Police.
- 4.5 Trading Standards officers have recently seized illegal items from these premises. On two occasions Trading Standards Officer recovered illegal products from The Oval Wines including tobacco pouches, a number of cartons of cigarettes and a number of Viagra jellies, which can only be obtained following a consultation with a pharmacist.
- 4.6 The proposed DPS and Premises Licence holder Mr Oruc identified himself on CCTV footage as being present and gesturing known gang members who had been seen armed with machetes and knives however, he had not previously identified himself as being a witness when Police had approached him at the premises requesting CCTV footage as per the conditions of the premises licence, nor did he call the Police at the time of the incident.

- 4.7 The decision of the committee at the review hearing on 19th December was to revoke the premises licence in its entirety. **Notes and matters of fact relating to the hearing can be found in the decision notice which is attached at Appendix C**
- 4.8 The proposed Designated Premises Supervisor, Mr Oruc who is also the licence holder had applied to vary the DPS to himself with immediate effect on 17th December 2024. An objection was received by police on 23rd December as they believe the appointment of Mr Oruc as designated premises supervisor, would undermine the crime prevention objective. The matter was due to be heard by the licensing committee on 24th January 2025 however the application was withdrawn by the applicant on 21st January 2025.
- 4.9 A second identical application to vary the DPS to Mr Oruc was received on 21st January 2025. Again, an objection was received by police on 21st January as they believe the appointment of Mr Oruc as designated premises supervisor, would undermine the crime prevention objective. The matter was due to be heard by the licensing committee on 17th February 2025 however the application was withdrawn by the applicant on 14th February 2025.
- 4.10 This third identical application to vary the DPS to Mr Oruc was also received on 14th February 2025. Again, an objection was received by police on 14th February as they still believe that the appointment of Mr Oruc as designated premises supervisor, would undermine the crime prevention objective. The matter was due to be heard by the licensing committee on 3rd March 2025 however the application was withdrawn by the applicant on 28th February 2025.
- 4.11 The fourth identical application to vary the DPS to Mr Oruc was also received on 28th February 2025. Again, an objection was received by Police on 29th February 2025 as they still believe that the appointment of Mr Oruc as designated premises supervisor, would undermine the crime prevention objective which is now brought before this committee for consideration.

5 RESPONSIBLE AUTHORITIES

- 5.1 Representations to vary the Designated Premises Supervisor can only be made by the Police, who may object to the designation of the new DPS where in exceptional circumstances, they believe that the appointment would undermine the crime prevention objective.

6 IMPLICATIONS

6.1 Financial Implications

There are no financial or resource implications arising from the content of this report.

6.2 Legal Implications

- 6.2.1 The Committee is advised that paragraphs 4.69 - 4.71 of Section 182 Guidance for the Licensing Act 2003 describe the powers of a Licensing

Authority on the determination of an application the decision of the committee is subject to appeal at Magistrates Court.

- 6.2.2 The committee under Section 39 (89) Licensing Act 2003, must if it considers necessary, reject the application.
- 6.2.3 The committee must under Section 39 (90) notify the applicant, police and new DPS and must give reasons for its decision.

6.3 Policy Implications

There are no policy implications.

6.4 Equalities and Diversity Implications

- 6.4.1 Any decision by the Committee is based on evidence before it at the meeting; there are no equalities and diversity implications.

7 BACKGROUND DOCUMENTS

- BD1** Licensing Act 2003 (Section 39 Determination of Section 37 Application)
- BD2** Guidance issued under section 182 of the Licensing Act 2003

8 SUPPLEMENTARY INFORMATION

- 8.1 On 12th February 2025, the Police forwarded an email from PC Steven Hill, who had taken a statement from an ex-employee of Oval Wines in relation to Mr Emrah Oruc, owner and premises licence holder of Oval Wines.

9 APPENDICES

- A Application to vary Designated Premises Supervisor
- B Police Objection to Variation of Designated Premises Supervisor
- C Decision Notice – Revocation of Premises Licences for Oval Wines
- D Current Premises Licence and Plan
- E Supplementary Information – Witness statement from ex-employee.