



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE TURKISH MANGAL

AGENDA

10.30 am	Wednesday 19 December 2012	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman)
Denis Breading
Melvin Wallace

For information about the meeting please contact:

**Grant Soderberg Tel: (01708 433091)
e-mail: grant.soderberg@haverling.gov.uk**

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENT

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 REPORT OF THE CLERK (Pages 1 - 6)

5 REPORT OF THE LICENSING OFFICER (Pages 7 - 54)

Application for a premises licence for Turkish Mangal, 160 Balgores Lane, Gidea Park RM2 6BS

**Ian Buckmaster
Committee Administration & Member Support
Manager**

LICENSING SUB-COMMITTEE

REPORT

19 Decemeber 2012

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

Grant Söderberg (01708) 433091
e-mail: grant.soderberg@havering.gov.uk

Members are advised that, when considering application for a premises licence, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
 - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
 - 1.2.4 has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. Chairman's Briefing meeting:

- 3.1 Prior to this hearing, the Sub-Committee Chairman will have met the Legal Advisor and/or Clerk to determine whether further clarification is required of any issues contained in the application or any representation.
- 3.2 During this preliminary meeting no decision will have been made or discussion held regarding the substantive merits of the application or representations.

4. Location and facilities:

- 4.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 4.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

5. Notification of attendance:

- 5.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

6. Procedural matters:

- 6.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 6.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

- The prevention of crime and disorder;**
- Public safety;**
- The prevention of public nuisance; and**
- The protection of children from harm.**

7. Failure of parties to attend the hearing:

- 7.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

8. Adjournments and extension of time:

- 8.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:
- Applications for conversion of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being granted;
 - Applications for variation of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being rejected;
 - Applications for conversion of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being granted;
 - Applications for variation of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being rejected;
 - Applications made by holders of justices' licences for personal licences must be determined within 3 months of the application first being

received. In default of a decision not being made within this period the application will be treated as being granted;

- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

9. Sub-Committee's determination of the hearing:

- 9.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 9.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

10. Power to exclude people from hearing:

- 10.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:
- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
 - that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

11. Recording of proceedings:

- 11.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

12. Power to vary procedure:

- 12.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.

Licensing Sub-Committee

Section 1 - Licensing Officers Report

LICENSING SUB-COMMITTEE

19 DECEMBER 2012

REPORT

Subject Heading:

Premises Licence application for Turkish Mangal 160 Balgores Lane Gidea Park RM2 6BS

Report Author and contact details:

Paul Campbell – Licensing Officer
01708 432777
licensing@havering.gov.uk

This application for a premises licence is made by Mr Mesut Kaya under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 5th November 2012.

Geographical description of the area and description of the building

The premises are a mid terrace premises in a row of 6 properties all have shop premises on the ground floor and living accommodation (single floor) above.

The premises are situated on the west side of Balgores Lane opposite Station Road Gidea Park it is about 50 metres west of Gidea Park Rail Station. The surrounding premises are predominantly residential there are some shop premises adjacent and nearby and these have residential properties above.

Busses to the area are good during the day but are reduced in the evening, there is a mini cab taxi firm next to Gidea Park Rail Station.

A map of the area is attached to assist the committee.

Details of the application

Late Night Refreshment – Indoors – Take away only after midnight		
Day	Start	Finish
Sunday to Wednesday	23:00hrs	00:00hrs
Thursday to Saturday	23:00hrs	02:30hrs

Supply of Alcohol – On the premises only		
Day	Start	Finish
Monday to Sunday	12:00hrs	23:30hrs

There have been three Temporary Event Notices (TEN) for these premises all three applications were made on 1st November 2012 by GT Licensing Consultants for Mr Mesut Kaya.

The first was a Late TEN to permit Late Night Refreshment on Friday 9/11/12 and Saturday 10/11/12 for up to 50 people from 23.00hrs to 02.00hrs the next day.

The second was a TEN to permit Late Night Refreshment on Friday 16/11/12 and Saturday 17/11/12 for up to 50 people from 23.00hrs to 02.00hrs the next day.

The third was a TEN to permit Late Night Refreshment on Friday 23/11/12 and Saturday 24/11/12 for up to 50 people from 23.00hrs to 02.00hrs the next day.

Seasonal variations & Non-standard timings

There are no seasonal variations or non-standard timings attached to this application.

Comments and observations on the application

The applicant acted in accordance with premises licence regulations 25 and 26 relating to the advertising of the application. The required newspaper advertisement was installed in the Yellow Advertiser on Wednesday 14th November 2012.

Summary

There were seven valid representations against this application from interested parties.

There were four representations against this application from responsible authorities.

Details of representations

Valid representations may only address the following licensing objectives:

The prevention of crime and disorder
The prevention of public nuisance
The protection of children from harm
Public safety

Interested parties' representations

The interested parties' representations fall mainly under the heading of Public Safety and the Prevention of Public Nuisance.

Responsible Authorities' representations

The four responsible authorities' representations outline a number of points they wish the Sub-Committee to consider.

There were no representations from the following responsible authorities:

The London Fire and Emergency Planning Authority

The Health & Safety Enforcing Authority

The Trading Standards Service

Children & Families Service

Health Service

Licensing Sub-Committee

Appendix 1 - Copy of the Application

12205

[Insert name and address of relevant licensing authority and its reference number (optional).]



Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **MR MESUT KAYA**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description TURKISH MANGAL, 160 BALGORES LANE, GIDEA PARK, ROMFORD, ESSEX			
Post town	ROMFORD	Postcode	RM2 6BS

Telephone number at premises (if any)	01708 4594466
Non-domestic rateable value of premises	£11500

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KAYA			First names MESUT		
I am 18 years old or over			<input checked="" type="checkbox"/> Please tick yes		
Current postal address if different from premises address		35 WALTON HOUSE, MONTCLARE STREET, LONDON E2 7ET			
Post town	LONDON		Postcode	E2 7ET	
Daytime contact telephone number			07966 197066		
E-mail address (optional)					

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	1	1	1	2	0	1	2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			
1	1	1	1	1	1	1	1

Please give a general description of the premises (please read guidance note 1)
 TURKISH CAFÉ / RESTAURANT WITH SERVERY AND TOILETS / FOOD PREPARATION AREA
 TO REAR. LOCATED IN A GROUND FLOOR RETAIL UNIT

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment | Please tick any that apply |
|---|----------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	x
				Outdoors	
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	23.00	00.00	Please give further details here (please read guidance note 3) PROVISION OF HOT FOOD AND DRINK in the RESTAURANT & FOR TAKE AWAY. TAKE AWAY ONLY AFTER 00.00 (MIDNIGHT)		
Tue	23.00	00.00			
Wed	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) NONE		
Thur	23.00	02.30			
Fri	23.00	02.30	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) NONE		
Sat	23.00	02.30			
Sun	23.00	00.00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) NONE		
Mon	12.00	23.30			
Tue	12.00	23.30			
Wed	12.00	23.30			
Thur	12.00	23.30			
Fri	12.00	23.30			
Sat	12.00	23.30			
Sun	12.00	23.30	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) NONE		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name MR MESUT KAYA	
Address 35 WALTON HOUSE, MONTCLARE STREET, LONDON E2 7ET	
Postcode	E2 7ET
Personal licence number (if known) 14387	
Issuing licensing authority (if known) LONDON BOROUGH OF TOWER HAMLETS	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
 NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) NONE
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) NONE
Mon	08.00		
		00.00	
Tue	08.00		
		00.00	
Wed	08.00		
		00.00	
Thur	08.00		
		02.30	
Fri	08.00		
		02.30	
Sat	08.00		
		02.30	
Sun	08.00		
		00.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

WE WILL OPERATE OUR PREMISE IN A RESPONSIBLE MANNER AND ACTIVELY PROMOTE THE LICENSING OBJECTIVES AT ALL TIMES.

b) The prevention of crime and disorder

CCTV WILL BE INSTALLED COVERING THE INSIDE OF THE PREMISE AND THE OUTSIDE FRONTAGE. IT WILL BE CAPABLE OF TAKING A HEAD AND SHOULDERS SHOT OF PERSONS ENTERING THE RESTAURANT, CAPABLE OF 31 DAYS STORAGE OF IMAGES AND OF BEING DOWNLOADED ON REQUEST FOR POLICE OR AUTHORISED COUNCIL OFFICERS. CCTV NOTICES WILL BE PROMINENTLY DISPLAYED BY THE FRONT DOOR AND AT THE SERVERY.

ALL ALCOHOL WILL BE STORED BEHIND THE SERVERY.

ALL ALCOHOL WILL BE REMOVED FROM THE SERVERY AND LOCKED IN THE STOREROOM AT THE TERMINAL HOUR FOR THE SALE OF ALCOHOL.

ALCOHOL WILL ONLY BE SOLD AS ANCILLARY TO PERSONS TAKING A TABLE MEAL.SERVICE WILL BE BY WAITING STAFF ONLY AND THERE WILL BE NO CUSTOMER SERVICE AT THE SERVERY.ALCOHOL WILL NOT BE SOLD TO PERSONS COLLECTING A TAKE AWAY MEAL.

A MEMBER OF STAFF TRAINED TO DOWNLOAD IMAGES SHALL BE ON DUTY AT ALL TIMES THE PREMISE IS OPEN. NO ALCOHOLIC DRINKS OR GLASSES WILL BE ALLOWED OUTSIDE THE RESTAURANT AT ANY TIME.

ALL STAFF WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND AT SIX MONTHLY INTERVALS. WRITTEN TRAINING RECORDS WILL BE KEPT.

THE RESTAURANT WILL CLOSE FOR SIT DOWN TABLE SERVICE AT 00.00 MIDNIGHT AND LAST SERVICE IN THE RESTAURANT WILL BE AT 23.30. THERE WILL BE A 30 MINUTE CONSUMPTION PERIOD ALLOWED.THEREAFTER ALL FOOD SOLD WILL BE FOR TAKE AWAY ONLY.

c) Public safety

A FIRE RISK ASSESSMENT AND EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED.

d) The prevention of public nuisance

NOTICES ASKING CUSTOMERS TO RESPECT NEARBY RESIDENTS AND TO LEAVE QUIETLY WILL BE DISPLAYED BY THE EXIT DOOR.
 THE SHOP FRONTAGE WILL BE KEPT TIDY AT ALL TIMES AND A LITTER BIN PROVIDED FOR RUBBISH.
 A NOTICE WILL BE DISPLAYED ASKING CUSTOMERS NOT TO LOITER OUTSIDE THE RESTAURANT AND TO DISPOSE OF RUBBISH RESPONSIBLY.
 THE RESTAURANT WILL CLOSE AT 00.00 MIDNIGHT AND LAST SERVICE IN THE RESTAURANT WILL BE AT 23.30. THERE WILL BE A 30 MINUTE CONSUMPTION PERIOD ALLOWED.
 MANAGEMENT AND STAFF WILL ACTIVELY DISCOURAGE PEOPLE FROM LOITERING OUTSIDE THE SHOP.

e) The protection of children from harm

CHALLENGE 21 WILL BE OPERATED AS THE PROOF OF AGE SCHEME. NOTICES WILL BE DISPLAYED AT THE POINT OF ENTRY AND BY THE SERVERY ADVISING CUSTOMERS THAT CHALLENGE 21 IS IN OPERATION. ONLY A PASSPORT, PHOTOGRAPHIC DRIVING LICENCE OR PROOF OF AGE CARD WITH THE PASS LOGO / HOLLOGRAM ON WILL BE ACCEPTED AS PROOF OF AGE. A WRITTEN REFUSALS RECORD WILL BE KEPT.
 ALL STAFF WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND GIVEN REFRESHER TRAINING EVERY SIX MONTHS. TRAINING WILL INCLUDE OPERATING CHALLENGE 21, IDENTIFYING PERSONS UNDER 21, ACCEPTABLE PROOF OF AGE, MAKING A CHALLENGE, MAKING & RECORDING A REFUSAL & AVOIDING CONFLICT. WRITTEN TRAINING RECORDS WILL BE KEPT.
 NO UNACCOMPANIED CHILDREN WILL BE ALLOWED TO HAVE A TABLE MEAL OR REMAIN IN THE PREMISE AFTER 21.00.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	25/10/12
Capacity	AUTHORISED LICENSING CONSULTANTS

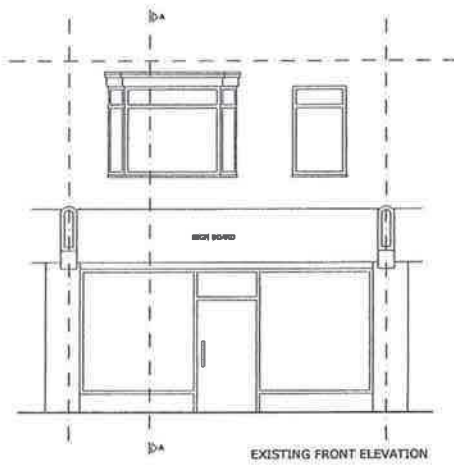
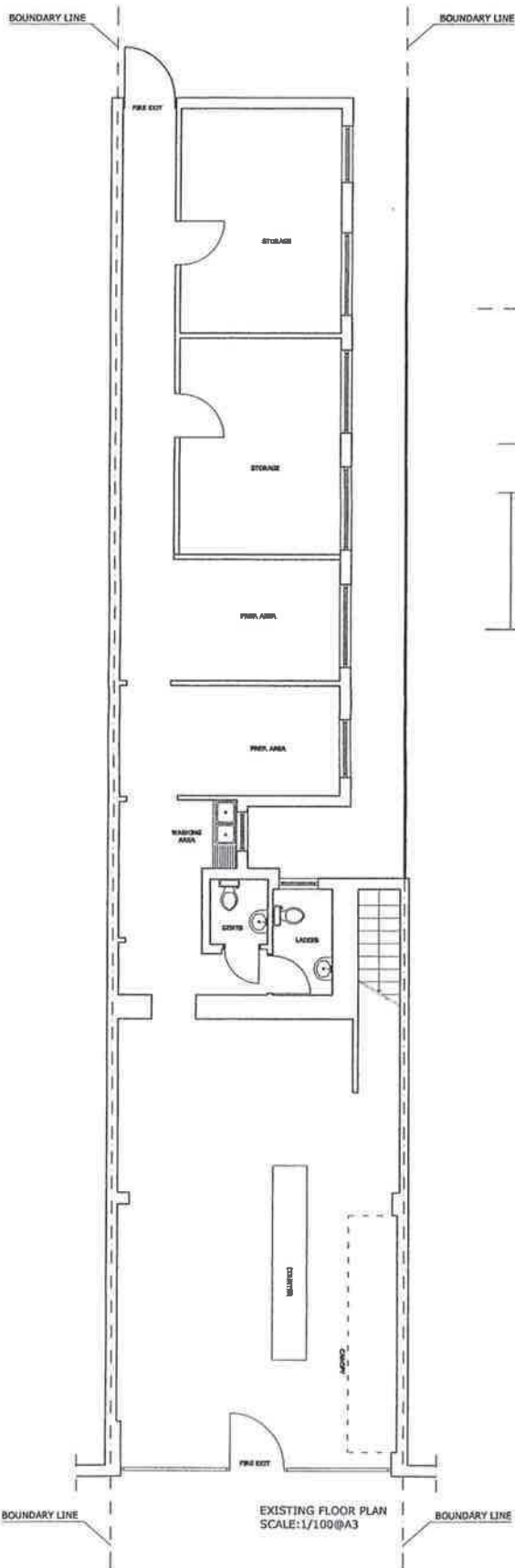
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

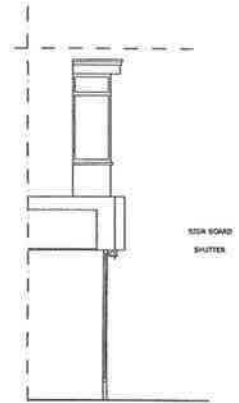
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) GT LICENSING CONSULTANTS, 21B McINTOSH ROAD, ROMFORD, ESSEX. RM1 4JU			
Post town	ROMFORD	Postcode	RM1 4JU
Telephone number (if any)	07810 826778		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) gtlicensingconsultants@googlemail.com			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.



EXISTING FRONT ELEVATION



EXISTING SECTION A

AZELEA INTERIORS www.acelyaturkan.com			
160 BALGORES LANE , RM2 6BS, GIDEA PARK, ROMFORD			
-EXISTING FLOOR PLAN -EXISTING FRONT ELEVATION -EXISTING SECTION A			
SCALE 1:100@A3	DATE	Aug 2012	
DRAWN AT	CHECKED		
PROJ. No. 025-12	REF. J/02	REV.	

Licensing Sub-Committee

Appendix 2 - Map of local area



<p>Turkish Mangal</p> <p>London Borough of Havering Town Hall, Main Road Romford, RM1 3BD Tel: 01708 434343</p> 	<p>Map Reference: TQ5289SE Date: 06/11/2012</p>     <p>© Crown copyright and database rights 2012 Ordnance Survey 100024327</p>	<p>Scale @ A4 1:1250</p> <p>Scale 0 10 20 30 40 50 m</p> 
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BABY BOUNCER from birth, go, musical & vibrates, £10. **BABY CLOTHES**, £5 each carrier bag full. **THREE SQUASH RACKETS**, three badminton rackets, go, with covers, £10 each. Tel: 07507 41821.

16W GIRLS RALEIGH BIKE suit 5-8yrs, pink with bag, pump & stand, £30. **DISNEY PROMISED DRESSING TABLE WITH STOOL**, vgc, £20. Tel: 01268 283376

YAMAHA ACOUSTIC GUITAR mint condition, cdns silver, £50

UNIVERSAL HAMMERHEAD 20H 180X lat, £25. **Freemont professional 24in mountain bike**, red/silver, £60. Tel: 01268 754 043

28 KITCHEN CUPBOARD DOOR & DRAWER FRONTS plus handles, etc cond, solid wood, various matching pieces, £20 the lot. Tel: 01708 482 955

6FT BLUM PINK TINSEL CHRISTMAS TREE board, £20. **6H** ready dressed Christmas tree, board, £10. Tel: 01702 538 915

JASPER CONRAN CHROME BATHROOM BIN £35. **Debenhams unwrapped gift**, £10. Tel: 01375 480 841. **9499 arts.**

KURT GEIGER RED PATENT SHOES size 5, 4in heel, black & white, mark on heel. **£50**

WINTENDO 3DS pearl white, board/complete, hardly used/vm new, etc cond, £100. Tel: 01708 443 748

OLK VEGEEN DINING TABLE 1800 x 900mm, never been used, scratched on surface, henov R76. Tel: 07500 862 966

ROLL TOP ACRYLIC BATH 1200mm thick, 1750 x 800mm, go, buyer collects, £20. Tel: 01702 232065

£200A HIGH BED built-in ladder, full desk under, pine, go, £75. Tel: 01277 653077 or 07776 127198

THREE IN ONE TRIKES for sale £20 each or £50 for both. **Maibla blue bin** for storage chest £25. **07878 856 121** each

TWO TOP MAN JACKETS one light blue, chest 38in, **Dark blue**, chest 38in, **£10** each

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Public Notices

Notice of Application for a New Premises Licence Under Section 17 of The Licensing Act 2003

NOTICE IS HEREBY GIVEN that Mr. Mouna Kaya has applied to the London Borough of Havering for a New Premises Licence for Turkish Manгал, 160 Balgoun Lane, Glides Park, Roonfield, Essex RM2 6BS as follows: 1) To permit the sale of alcohol for consumption on the premises from 12.00 until 23.30 all week. 2) The provision of late night refreshment from 23.00 to 00.00 (midnight) Sunday to Wednesday and 23.00 to 02.30 the following day Thursday to Saturday.

The address of the licensing authority where the register is kept and the application may be inspected during normal business hours is Licensing Section, Housing & Public Protection, London Borough of Havering, Mercury House, Mercury Gardens, Roodfield, Essex RM1 3SL or on the Council's website: www.havering.gov.uk

Any representations by another person or responsible authority must be received in writing by the Licensing Authority by 3rd December, 2012 stating the nature and grounds for making such representations. It is an offence under Section 158 of the Licensing Act 2003 to knowingly or recklessly make a false statement in connection with an application. The maximum fine on summary conviction for this offence is £5,000.

G T Licensing Consultants
Tel: 07810 826 775
Email: glicensingconsultants@googlemail.com

Bargain Buys

PS2 SONY GAMES CONSOLE two controllers, dance UK dance mat & game, £20 the lot. **LARGE SELECTION** PS2 GAMES boxed, £20 each. **CD, D4, TAPS**, Victorian style, chrome bath mixer taps with shower attachment, £30, matching basin taps, £10 each cond, on one. **BATHROOM TOILET**, matching basin & pedestal, white, £20 the lot. Tel: 01702 451186

TFO CARRYALL, vgc, £20. **TFO RACING SEAT BOX**, one tackle box with tackle, vgc, £20. **FOX TACKLE BOX**, medium size, vgc, £20. Tel: 01708 557311

PLAY GOLF HIPPO PLUS METAL WOODS driver 3 & 5 woods. **£25**. **QUART HIPPO DRIVER**, 1H, LARGE GOLF BAG, £10. Tel: 0208 3231941 or 07890 147551

WINNIE THE POOH TOILET TRAINER SEAT 1800-8yrs £5. **Travel highchair booster seat** 1-3yrs, £10. **Pink 15in lot tv** for spares/repairs, boxed, £20. **cond**, Tel: 020 8550 9199

ASSORTMENT BOYS TOYS suit age 3yrs plus, i.e. work bench, tools, sawmower, ideal boot sale, £20, no offers. Tel: 01268 794263

CAR BOOT SALE ITEMS household, bric-a-brac, large table linen, toiletries, etc. etc, will separate, make an offer. Tel: 01702 252876

DOG METAL TRAVEL CAGE plastic floor tray, used once, height 27.5in from ground x width 24in x length 36in, £40. Tel: 01268 572757

FRUIT BOWL, cut glass, large, £20. **TEAK SAID SET** 11 pieces, £30. **TWO OFFICE CHAIRS** chrome, static, perfect, £20 each. Tel: 020 8550 9199

once, £20. **cond**. Tel: 01277 624988

8FT X 8FT SMOKER TABLE folding legs, go, set with, fringes, one cue. £70. Tel: 01702 559487

GAME FURNITURE two smaller settings, two armchairs, glass top coffee table, etc cond, £95. Tel: 01702 305732

CHEST DRAWERS bedside cabinet, wardrobe, ideal children's furniture, £100. Tel: 01708 264481

CURTAINS red with large cream flowers, pleated top, 30in drop, each curtain 4.4m across, £20. Tel: 01706 620 020

DARK WOOD CORNER UNIT glass front display with shelving, £250. **buyer collects**. Tel: 01375 406259

REVLON JETSTREAM 1000 powerdry and style, used few times, baby's pro110 3x ceramic & thermoseal straighteners, new, baby's 2 straighteners as you dry, used few times. **£25**. Tel: 01375 406864

UNUSED RAILWAY BOOKS five model railway books including Hornby companion series, 20th century railways, country railways, £5 each. **GOLF BAG**, trolley, 8 clubs, 12 balls, £25. Tel: 01702 291 660

CHILD'S WHITE WOODEN TABLE 2 chairs, immaculate, ideal Christmas present, £20. **Shaw daleys' magnetic dress up wooden dolls**, handmade, large, boxed, set, £10. Tel: 01375 480 941. **9499 arts.**

COMPACT BUYS 2 SEATER LEATHER SOFA excellent condition, £50 (Bikeless), **LARGE 3 x 4 SEAT CREAM LEATHER SOFA**, good condition, extremely soft, £80. **9499 (Bikeless) 07432 115831**

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DARK WOOD SIDEBAND 12 drawers, width 18in x length 60in, £35. **cond**. **buyer collects**. Tel: 01375 406259

MOBILITY THOLLEY adjustable height, two trays, good clean condition, £40. Tel: 0208 524342

zephyr dry, tel: 01375 675 233

JENDA 4 TENT separate porch & footprints, vgc, only used a few times, £99. Tel: 01708 881034

3FT BEE BED FRAME & MATTRESS vgc cond, solid frame, clean mattress, £70. Tel: 01708 456027

BHITTAC LIGHTWEIGHT CAR SEAT, Britax child booster seat 4-8yrs, £5. Tel: 020 8550 9199

DOLLY TINY TEARS / TWINS / THREE FASHION one large, various dolls clothes, very clean, go. **£15**. Tel: 01702 564000

JAMES BOND THE LEGACY large book, full of location photos, collectors item, £20. Tel: 01702 296225

MCLAREN QUEST RECLINING PUSHCHAIR grey with pink carats, raincover, £30. Tel: 07749 179009

TABLE MAHOJANG DINING TABLE plus 2 chairs A 4 chairs etc cond £85. Tel: 01268 772 686

PEPPA PIG TRIKE PARENT HANDLE 18mths-3yrs, £5. **Dr who cyber man voice changing helmet** £5. Tel: 020 8550 9199

REBROK ROWING MACHINE digital readout 8 functions, waterproof, fits up for storage. **£40** 01375379180

SONY DIGITAL VIDEO CAMERA RECORDER TIV 12E casette model, used few times, £50. Tel: 01375 409064

3-4-11 TABLE TENNIS hockey, pool table, go, just £30, free delivery. Tel: 07853 008143

CAR SEAT Britax Eton 8-25kg, vgc, 5 point harness, £50. Tel: 07506 574365

CAR SEAT Britax Eton 8-25kg, vgc, 5 point harness, £50. Tel: 07506 574365

CHEST FREEZER height 33in x 22in wide x 22in deep, £25. Tel: 01702 296274

DARK WOOD BUREAU four drawers, £30. **cond**. **buyer collects**. Tel: 01375 406259

GIRLS BIKE pink/purple, 12in, suit 2-3yrs, removable stabilisers, £20. Tel: 01702 71848

MOBILITY THOLLEY adjustable height, good clean condition, £40. Tel: 0208 524342

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Licensing Sub-Committee

Appendix 3 - Representations

Mr P Jones
Public Protection
London Borough of Havering
Mercury House
Mercury Gardens
Romford RM1 3SL

Your ref: PJJ/012205



17 Fairholme Avenue
Gidea Park
Essex
RM2 5UP

26 November 2012

Dear Mr Jones,

**Licensing Act 2003 – Premises Licence Application
Turkish Mangal 160 Balgores Lane, RM2 6BS**

We wish to object to the granting of an alcohol licence to the above premises or indeed to any other café/takeaway premises in that parade of shops nearby.

Our reasons are the granting of such a licence would attract drinkers and possibly drug dealers to the area through the day and late into the night. This would increase the risk of rowdyism and nuisance factor to the area on the precinct outside this café/takeaway.

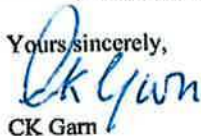
Apart from the local residents and commuters walking to and from the nearby station past Turkish Mangal there are at least 3 schools nearby – Squirrels Heath primary, Frances Bardsley Girls and Royal Liberty and their children would arguably be put at greater risk. This is a residential and not a night club area.

The bars in Romford and pubs nearby are better designed to service the drinkers and they often have security to police their premises. This café would be unlikely to provide an adequate level of security for those in the immediate area.

This café/takeaway already has tables and chairs outside their premises (not that we can ever recollect being consulted about this from the planning viewpoint) and we think it would be difficult to stop people drinking outside on the precinct.

If you grant such a licence in order to compete there are at least 3 other café/takeaways nearby that might feel obliged to ask for a similar licence. The adverse impact of this on the local area for residents would be unreasonable regarding increased risk to their safety.

Yours sincerely,


CK Gam

Paul Campbell

From: Licensing
Sent: 30 November 2012 11:53
To: Paul Jones; Paul Campbell
Subject: FW: Licence Representation

From: Ian Mercer [mailto:ian.f.mercer@gmail.com]
Sent: 30 November 2012 11:46
To: Licensing; Paul Jones
Subject: Licence Representation

To London Borough of Havering
Homes, Housing and Public Protection
Mercury House RM1 3SL

licensing@havering.gov.uk

paul.jones@havering.gov.uk

Re: Application for a premises licence for
Turkish Mangal
160 Balgores Lane RM2 6BS

We object to the granting of a licence for this premises.

Public nuisance: a licence will create opportunity for further public nuisance in the area and a return to what we had some years ago, with noise nuisance, and broken glass and food waste on pavements.

Residential amenity: a licence here would continue a long-term trend towards increased noise, litter and anxiety for residents in walking past an area where people gather for 'socialising'.

Public safety from the point of view of health: the attraction of further people into the area in the evening for eating and take-away food will attract even more rats into the area. Take-away residual food rubbish, including that thrown from cars in Fairholme avenue, is now a big problem. This will increase if more people are attracted to the premises by drink being available late at night, adding to waste left on pavements.

We do not wish the Council to aggravate an already-worsening situation by granting such a licence.

Ian and Carol Mercer

3 Fairholme Avenue

Romford RM2 5UP

Nigel Sheppard

5 Fairholme Avenue

Romford RM2 5UP



Williams Butchers
Mr R . J. LURTON
168 Balgores Lane,
Romford,
RM2 6BS
28TH November 2012

Dear Sir / Madam,

I write to you in reply to your letter, reference PJJ/012205, with regards to 160 Balgores Lane, (Turkish Mangal) and the premises licence application.

I openly oppose this application for multiple reasons.

The first reason is due to the anti social behaviour that by having an alcohol licence and late night opening hours would bring. This will cause obvious problems and disruptions to the area.

Above the rows of shops are flats and these are all occupied by families. The area as a whole is residential and this is not acceptable for the families to put up with the rowdiness that alcohol brings to the area, along with the groups of youths.

Along with the above, comes crime, such as graffiti, criminal damage, littering, all of which will cause a strain on the residents and both the public service and yourselves, the council.

The unit itself is supposed to be a restaurant but after a visit from the council itself, it was found that takeaway is now their main primarily role. They informed the council that they were applying for a change of use to takeaway – yet the first thing they apply for is for an alcohol licence? This speaks volumes for the clear and present lack of regard and respect to the law and the councils.

If an alcohol licence is granted, for onsite drinking, they are already abusing their terms of agreement – including their trading hours, what is to stop them from selling the alcohol for takeaway?

The noise from the people visiting the kebab unit in the early hours after consuming alcohol on premises is going to increase, this again putting a strain on the residents in the area. Even if alcohol is not served to the people visiting the unit, the anti social times that the unit will be open will generally generate noise where the youths and customers wait for their food to be cooked and served.

Along this parade of shops, there is no immediate parking for people to visit the kebab unit, thus causing more problems for criminal activity with people parking illegally in order to visit the kebab unit. This unit is going to attract all the wrong kind of people to the area.

I cannot stress enough how much this application is a bad idea.

Yours sincerely,

Williams Butchers,
Mr R. J. Lurton

Paul Campbell

From: Paul Jones
Sent: 03 December 2012 09:08
To: Paul Campbell
Subject: FW: regarding premises licence application PJJ/012205

Paul
FYI
Paul

Kind regards

Paul Jones

Paul Jones | Licensing Officer
London Borough of Havering | Public Protection
Mercury House, Mercury Gardens, Romford, RM1 3SL
t: 01708 432692

From: Licensing
Sent: 03 December 2012 08:59
To: Paul Jones
Subject: FW: regarding premises licence application PJJ/012205

From: David Carpenter [mailto:dobon@talktalk.net]
Sent: 02 December 2012 20:53
To: Licensing
Subject: regarding premises licence application PJJ/012205

Dear Mr. Jones,

I am writing to object to the premises licence application PJJ/012205 for Turkish Mangal, 160 Balgores Lane, Romford, RM2 6BS.

I live at 1 Fairholme Avenue which runs along side the back entrance to the above mentioned property.

Already there is a problem with late night noise/nuisance from both staff at the back and customers at the front of this property, as well as multiple vehicles from both staff and customers parked with total disregard for local residents.

The surrounding area is predominately residential and the extension of the opening hours of this premises along with an alcohol licence will prolong the late night noise and increase the public nuisance. A notice asking customers to be quiet and not loiter will not improve this problem! The staff at present do not care about this problem and in fact add to it, I cannot see this situation changing.

The application has been written by a licensing consultant who knows what to write but if approved who will insure all the stated action will be implemented and adhered to both at the beginning and in the long term?

I cannot think of a good reason why a kebab shop that has some seating needs to sell alcohol. The premises was opened as a cafe which has been turned into a kebab shop by the same owners who now want to sell alcohol. If approved what do they want to do next? I do not feel this kind of establishment is needed or wanted in this area.

Yours Sincerely
David Carpenter

14 Fairholme Ave
Gidea Park
Romford
Essex
RM2 5UU

To Whom It May Concern:

Reference: PJJ/012205 Licensing Act 2003 – Premises License Application, Turkish Mangal 160 Balgores Lane, Romford, RM2 6BS

As residents of the local area we wish to object to the license for the about premises to have not only a alcohol license but also extended hours to 2.30am Thursday, Friday and Saturday.

The local residents are confused by the Café/Restaurant/Take Away. When the shop first opened the local residents was under the impression that this was to be a café opened from 8.00am – 7.00pm and not to be serving Take Away. From day one it was opened from 7.00am and serving take away also selling soft drink that are clearly labeled 'not for resale'. It has now been turned into a Take Away opening until 12.00pm at night and the application we have now received states that he wishes to sell alcohol to patrons who have a sit down meal.

Mr Kaya has made many promises in his application. As a resident we have seen him not take notice of his current restrictions on his business and are unsure as to the promises that he has made in his current application.

We also have a take away selling the same food as the Turkish Mangle situated only approx. 40 yards that is open until late over the weekend period.

Preventing Crime and Disorder

Over the last couple of years the local resident have had issue with Anti Social Behavior from groups hanging around the station and outside the local shops, the local police and PSCO have worked with the shop keepers to disband this behavior. We already have a high number of young people using Fairholme Ave as a cut through with excessive noise from Romford during a Friday and Saturday night evening and do not wish this to increase due to a late night food venue.

Preventing public nuisance

Parking for a restaurant/café/takeaway is also limited Fairholme Ave already has issue with Parking due to the station although there is limited parking on the bridge we do not feel that there would be adequate parking for this and with public transport not running







Paul Campbell

From: Paul Jones
Sent: 03 December 2012 09:07
To: Paul Campbell
Subject: FW: PJJ/012205 - Representation with Regards to Turkish Mangal Licence Application

Paul
FYI
Paul

Paul Jones | Licensing Officer
London Borough of Havering | Public Protection
Mercury House, Mercury Gardens, Romford, RM1 3SL
t: 01708 432692

From: Stuart [mailto:stUARTS1@gmail.com]
Sent: 01 December 2012 13:17
To: Licensing
Cc: Paul Jones
Subject: Ref: PJJ/012205 - Representation with Regards to Turkish Mangal Licence Application

Stuart Brown
101a Balgores Lane
Gidea Park
Essex

Dear Mr Jones,

Re – Ref – PJJ/012205 - [http://www.havering.gov.uk/Documents/12205 Turk Mang.pdf](http://www.havering.gov.uk/Documents/12205_Turk_Mang.pdf)

Licensing Act 2003 – Premises Licence Application
Turkish Mangal 160 Balgores Lane Romford RM2 6BS

I am a resident who lives close to this takeaway and wish to make some comments with regards to denying this application both to serve alcohol and extend the opening hours of the premises to 2.30 am on most days of the week.

This is essentially a Kebab Takeaway which also happens to have some chairs and does double-duty as a café during the day.

It is not a restaurant in the meaning under which most people would understand it, and serving alcohol is not appropriate for either a café or a takeaway (which this primarily is).

It is located in the middle of a residential area and any decision to grant an extension of hours or having groups of people consuming alcohol until late at night will inevitably cause further public nuisance, noise and disorder to local residents.

It is also very likely to increase the crime and disorder in the Gidea Park area as government statistics have shown that *"Alcohol related crime featured in over 70% of Crime and Disorder Strategies"*.

Reference - http://www.ias.org.uk/resources/factsheets/crime_disorder.pdf

To quote the report: *"In regard to the offences committed 'under the influence', the implication is that they would either not have happened or would not have reached the level of seriousness that they actually did if the offender had been sober."*

This is especially true when you consider that one of the central tenets of Havering Council's new draft licensing strategy is to *"Reduce alcohol consumption in our town centres"* ([reference](#)). That is hardly aided by granting new alcohol licenses to takeaways in the middle of residential areas in Gidea Park.

The Turkish Mangal Takeaway is also located near to a road-bridge which is generally blindsided by cars parking to the sides and a sharp turn, and so the alcohol element of this should be dismissed purely on the grounds of public safety. It is also located opposite a main intersection road where turns are essentially blind, and so there is a double cause for concern. The likelihood of injury being caused to patrons from being the victim of car accidents caused by being under the influence of alcohol, near such busy blind-sided roads is very real. Providing access to alcohol right next to a busy road-bridge that is blindsided to traffic is clearly a public safety concern.

The Turkish Mangal Takeaway is located three doors along from a Funeral Parlour, and serving alcohol also does not seem appropriate given its location.

The Turkish Mangal Takeaway has tables and chairs outside, so any late night rowdy behaviour is already likely to spill out onto the streets, and that is certainly not helped by either serving alcohol, or extending the opening hours to a time of 2.30am. Both of which will inevitably cause public nuisance to the residents of the area.

Having people loiter around the area until 2.30am will clearly create more of a public nuisance for local residents. It will also create considerably more rubbish as the takeaways are eaten and then the packaging discarded away from the premises (something that is already noticeable).

The current licensing times are more than sufficient for the primary use that these premises are put to. Namely, as a Kebab Takeaway, and there is simply no need to extend them.

In fact, I would ask that the council enforce the current license more closely to ensure compliance with current provisions.

The Takeaway itself is brightly illuminated and there is inevitably a certain amount of noise and public nuisance that comes from such a business. Both in terms of people gathering inside and outside the premises, and in terms of the equipment that is being used. It is unreasonable, given that this is located in the heart of a residential area, to extend this beyond the current licensing hours (which are already very long).

The extraction fan that is used for example adds 52 decibels of noise (Application Number P0666.10), and to force local residents to listen to extra noise and disturbance both from such equipment and people loitering around until 2.30am is not in keeping with a goal of preventing public nuisance, or the inevitable crime and disorder that has been proved (see above) to follow from people who are under the influence of alcohol.

Paul Campbell

From: Paul Campbell
Sent: 03 December 2012 13:35
To: Paul Campbell
Subject: FW: Turkish Mangal Restaurant Licensing Request

From: Licensing
Sent: 30 November 2012 08:32
To: Paul Jones
Subject: FW: Turkish Mangal Restaurant Licensing Request

From: Pamela Scolding [mailto:pamelascolding@btinternet.com]
Sent: 29 November 2012 16:57
To: Licensing
Subject: Turkish Mangal Restaurant Licensing Request

I strongly object to the above named premises being given a Licence to trade until 2.30.am on Thursday's to Saturday's, Due to the fact it could have an impact on Public Nuisance in the area, in the early hours of the Morning i.e. People arriving the worse for wear either by car or on foot, creating a lot of noise and mess.

Yours faithfully,
P.A.Scolding (Mrs)

As requested my Home Address. 7, Severn Avenue, Gidea Park, RM2 6EA.

Pamela Scolding (Mrs)

Licensing Sub-Committee

Appendix 4 - Representations from Responsible Authorities



Working together for a safer London

**Licensing Authority
London borough of Havering
Mercury House, Mercury Gardens
Romford
RM1 3SL**

PC 118 KD David Fern
Romford Police Station
19 Main Road
Romford,
Essex
RM1 3BJ

Telephone: 01708 432781
Email:
David-
anthony.fern@met.police.uk
Date: 19th November 2012

Dear Sir/Madam,

Police wish to make representation against the application for a premises licence at TURKISH MANGAL, 160 Balgories Lane, Gidea Park, Romford.

Police feel that granting of such a licence would not promote the licensing objectives namely, Prevention of crime and disorder and public nuisance, Police feel the applicant has not successfully addressed these two objectives.

The premises are located within a residential area, with properties above and directly behind and to the side of the shop. The impact of adding traffic to the area at the times requested for late night refreshment would certainly impede on the quality of life for the local residents. This could be from people using the venue at the requested times, shutting of car doors, revving of the engines. Groups of people congregating and talking in the street, whom would create noise nuisance. Most takeaways also impact and littering and fouling in the area, with many disregarding rubbish on their way home.

I would suggest that after midnight, the patrons in the area are far from those who are buying the families dinner, and are more likely to be those under the influence of alcohol and certainly after 0100 hours. This premises falls within a mixed use area and it is the licensing policy to grant up to 0030, police feel that this is sufficient time taking into account the locality, character of the area.

Most people call the police when disorder erupts in the street, be this from noise of people, vehicles and or violence in the streets, allowing such premises to be open until 0230 hours would not promote the licensing act. I would suggest this would only add to the work of the police in the area and impact on the wider community.

The hours requested for the alcohol licence should be 1200 - 2300 hours, this would allow the applicant sufficient time to remove and lock the alcohol away, prior to commencing the late night refreshment take away only service. Police are against patrons remaining in the restaurant after 2300 hours and feel this would only be an aggregating factor from those patrons arriving after 2300 hours. The restaurant design and layout does not promote a flow of people or in a way to design out crime. It was suggested to the applicant that the table chairs be stacked and barriers to be in place, to assist in dispersal of patrons after 2300 hours. See the attached photograph for the layout of the premises.



It was discussed with the applicant during my visit there shall be no glass at the table's including bottle beers, all of which can be easily used as weapons. All alcohol will need to be decanted at the point of sale into plastic or polycarbonate drinking vessels. The restaurant is predominately a take away shop by design.

If the applicant wishes to change his application to 0030 hours for late night refreshment and 2300 hours for alcohol sales then the police will withdraw this representation.

Police feel the following additional conditions are appropriate for this venue if the committee are inclined to grant a licence.

- All tables and chairs shall be removed from outside the venue at 2300 hours daily.
- All tables and chairs inside the venue shall be rendered unusable after 2300 hours daily and must be stacked with barriers in place to prevent use by 2330 hours.
- From 2300 hours daily the premises will operate a take away service only.
- The supply of alcohol at the premises shall only be to a person seated taking a table meal and ancillary to their meal.
- The supply of alcohol shall be by waiter or waitress service only.
- No drinks shall be served in glass containers/vessels at any time.
- Prominent signage indicating the permitted hours for alcohol sales shall be displayed on entering the premises, where alcohol is on display and at the point of sale.
- Patrons shall not be permitted to take any alcohol off the premises.

The police licensing officer will continue to work with the applicant and their representative in an effort to develop the business and the community.

If I can be of any further assistance in this matter please do not hesitate to contact me in the licensing office.

Yours sincerely

David Fern,
Police licensing Officer,
Havering Borough.



Havering
LONDON BOROUGH

Public Protection

Mercury House, Mercury Gardens
Romford RM1 3SL

Please call: Marc Gasson
Telephone: 01708 432777
Fax: 01708 432554
email: environmental.health@havering.gov.uk
Textphone ☎ : 01708 433175

memo

From: Marc Gasson-Noise Specialist

To: Licensing Team

My Reference : MDG/081535

Your Reference :

Date: 21 November 2012

**Licensing Act 2003-Section 17-Application For Premises Licence.
Turkish Mangal, 160 Balgores Lane, Gidea Park, Romford, Essex.**

I refer to the above application and would object, due to the close proximity of residential properties both above and opposite the premises, to it being granted on the grounds of public nuisance unless the following conditions are accepted and included on the licence:-

1. The hours the premises are open to the public are to restricted to 08:00-00:30 hours (the following day) Monday to Sunday.
2. Late Night Refreshment to be restricted to between 23:00 hours and 00:30 hours (the following day) Monday to Sunday.
3. The supply of alcohol to be restricted to between 12:00 hours and 23:30 hours Monday to Sunday.

I trust this clarifies my position.

Marc Gasson
Noise Specialist



memo

From: PLANNING CONTROL SERVICE

To: Licensing Officer
Environmental Health

Please call: Bernie Long

Telephone: 01708 432684

Fax: 01708 43690

Email: victor.long@havering.gov.uk

My Reference: BL/

Your Reference:

Date: 6 November 2012

Representations re Application for Variation of a Premises Licence (Licensing Act 2003) at Turkish Mangal 160 Balgores Lane Gidea Park

The London Borough of Havering's Planning Service, being a responsible authority as set out in the Licensing Act 2003, wishes to make representations against the above premises in relation to a variation to the Premises Licence.

This objection refers to the prevention of Public Nuisance by noise and disturbance likely to be caused to residents.

Relevant Planning History

P0666.10 Change of Use from A1 to A3 and provision of extraction flue (Decision Notice attached, which vide Condition 9 restricts hours of operation to 0800hrs -23.00hrs)

P1320.12 Change to mixed use A3 and A5 (Restaurant and Take away)
Received on 16/10/12

In June 2012 complaints were received from local residents alleging that the premises were breaching their hours of operation vide planning permission P0666.10, and operating part take away without the relevant planning permission.

This is still subject of an ongoing investigation and the operator in order to regularise the situation has submitted a planning application P1320.12.

It should also be noted that this planning application seeks to vary the hours

Monday-Thursday 0700.am -1130.pm

Friday – Saturday 0700.am - 0200.am

Sundays 0700.am – 1130.pm

Bank Holidays 0700.am -1130.pm

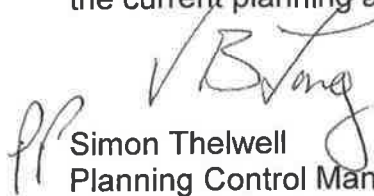
This is in a variance to this Licensing application.

The site, although near to Gidea Park Railway Station, and in a parade of retail units, including another take away outlet, is in a mainly residential area. There are flats above the units in this parade and other flats and housing near by.

It is thought that persons visiting the premises at the suggested hours in this Licensing application would either be pedestrians or persons arriving in vehicles. This would give rise to potential noise and disturbance by the slamming of car doors, shouting and radio noise.

I ask that the Licensing Committee consider this report as a valid representation.

I suggest that the Licence be refused at the outset or be deferred pending the outcome of the current planning application.

 pp
Simon Thelwell
Planning Control Manager (Projects & Compliance)

Application **P1320.12**

Live or History **Live** Parish / District

Cross Ref

Desc **Mixed use A3 and A5**

Location **160 Balgores Lane**
romford

Applicant **Mr.M. Kaya** P.E. Fast Track

Agent **Ms. A. Turkan**

Committee/Delegated Code

Officer **EJG** **Evert Grobbelaar**

Recommendation Date

2nd Recommend Date

Decision Date

Appeal Reference

Decision Date

Consultees		
Consultee Name	Despatch	Reply

Held Details Held Reason Days

Held Text

Dates

Received **16-10-2012**

Accepted

Expiry

Sec 66

Amendment

Extension

Committee

Date Issued

DIP

Fee Details

Required

Received

Details

Cons Area

Listed

Cat

Sub Cat

Cat 1

Cat 2

Prop/Site Links

Prop TPO

Site TPO



LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mr P Slade
38 Brookside
Emerson Park
Hornchurch
Essex
RM11 2RS

APPLICANT

Mr P Slade
38 Brookside
Emerson Park
Hornchurch
Essex
RM11 2RS

APPLICATION NO: P0666.10

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Change of use from A1 to A3 and provision of extraction flue

Location: 160 Balgores Lane
Gidea Park
Romford

The above decision is based on the details in drawing(s):

1031-P-1

1031-S-1

subject to compliance with the following condition(s):

- 1** The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2** The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 3 Before the uses commences a waste management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which shall thereafter be permanently maintained, shall include details of the method and location of refuse storage, together with arrangements for refuse disposal. All refuse shall be properly contained within the approved facility and shall not be stored or deposited elsewhere unless previously agreed in writing by the Local Planning Authority.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 4 Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61

- 5 Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason:-

In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 6 Before the use commences suitable equipment to remove and / or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be designed and certified by a competent engineer and after installation a certificate to be lodged with the Planning Authority. Thereafter, the equipment shall be properly maintained and operated within design specifications during normal working hours.

The level of dispersion has been calculated based upon an estimation of intended use scale and nature of the business and has been determined as discharge 1 metre above ridge at 15m/s. Odour control should be implemented as described in guidance issued by the environmental health department to the level required by the level of likely nuisance.

Reasons:

To protect the amenity of occupiers of nearby premises.

- 7 Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 - 10dB and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 *Planning & Noise* 1994.

- 8 Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:

To protect the amenity of occupiers of nearby premises.

- 9 The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00am and 11:00pm on any day without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVE(S)

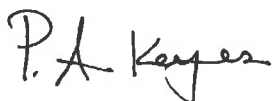
INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC16 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

Dated: 16th July 2010



Patrick Keyes
Head of Development and Building Control
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk

- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.



Havering
LONDON BOROUGH

Public Protection

Homes, Housing & Public
Protection
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

The Appropriate Licensing Officer
Licensing Authority
London Borough of Havering
Mercury House
Romford
RM1 3SL

Telephone: 01708 432692
Fax: 01708 432554
email: paul.jones@havering.gov.uk
Textphone ☎: 01708 433175

Date: 7th November 2012

My Reference: PJJ/012205

Dear Sir

Licensing Act 2003
Turkish Mangal 160 Balgores Lane Romford RM2 6BS
Premises licence application

Further to the application detailed above this Licensing Authority makes representation against this application in its role as a responsible authority. Our representation is based upon the Licensing Authority's belief that the applicant will be unable to successfully promote the licensing objectives in relation to the prevention of public nuisance and the prevention of crime and disorder if the application is granted as submitted.

This premises is one of six shops in a short parade at the junction of Station Road and Balgores Lane in the Gidea Park area. Above those shops are residential properties. While it is understood that this junction contains shops as well as a railway station the area is predominantly residential in nature. Havering's Licensing Policy 012 states that an application for hours outside those defined by the policy will be considered on their merits, however, *regulated activities will normally be permitted: until 23:30 in residential areas and until 00:30 in mixed use areas.* If we consider the immediate vicinity to be a *mixed use* area the application seeks to surpass the 00:30 terminal hour by two further hours Thursday to Saturday.

The last train to arrive at the nearby Gidea Park Station does so at 01:25. This last flurry of late night pedestrians might reasonably be presumed to constitute the last 'busy' period of the night when local residents return to their homes from an evening out. This application, however, seeks to permit the premises to remain open to the public an hour beyond this cut off point. The result of this is the distinct possibility that those individuals returning to the area at this hour will not head directly home from the station but will stop at *Turkish Mangal* to purchase hot take-away food. Indeed, one might reasonably presume that those late night train passengers are a target market for this premises. The attraction of such an establishment in operation at this hour would delay the dispersal of those individuals, thus contributing to the potential to create public nuisance into the early hours.

Contd.

Further to this, the fact that the premises wishes to be open to customers for an hour after Gidea Park's last train has departed increases the possibility that late night customers will be attracted to the area whose only reason to be there is to purchase hot food. This also has the potential to contribute to public nuisance issues which may be generated by activities at the premises.

We should also remind ourselves that the nature of this area is *predominantly residential*. It is not a busy town centre with an established night time economy where premises of this nature may be more acceptably located. The economy at this location is almost exclusively day time.

The applicant has identified a number of steps in the application's Section M which he intends to adopt to promote the licensing objectives. Section M(d) identifies those steps the applicant intends to take to promote the prevention of public nuisance licensing objective. The applicant appears to rely in the main upon signage to request that patrons are considerate of the premises' neighbours. While this method may be effective to customers who are not under the influence of alcohol we must question the effect of a notice upon someone who may have returned from an evening consuming alcohol.

Additionally, the applicant intends to *actively discourage people from loitering outside the shop*. The application does not define what might constitute an *active discouragement* of loitering but the undertaking must be considered in the knowledge that the premises' staff have no jurisdiction over activities occurring on the public highway. While we might accept that the applicant may be fully prepared to intervene in a situation occurring outside the premises, there exists the potential that an intervention without legal authority could lead to more serious problems than noise nuisance.

Lastly, the Licensing Sub-Committee should be made aware that the applicant for this licence is currently in the process of being prosecuted for offences contrary to s.136 of the Act recently witnessed at the premises. Mr Kaya declined to act upon repeated warnings from this Licensing Authority to cease the illegal provision of late night refreshment from the premises. The Licensing Authority therefore had no alternative other than to seek a prosecution for the offences as witnessed.

While this Licensing Authority acknowledges Mr Kaya's eventual submission of an application to legalise the provision of licensable activity at the premises it might seem reasonable to question Mr Kaya's full commitment to the requirements of the Act. This Licensing Authority has witnessed repeated illegal activity at the premises, illegal activity which continued after warnings against continuing to do so had been given. The applicant's commitment to promoting the prevention of crime and disorder might therefore be legitimately questioned. Given that this application is also to include the supply of alcohol at the premises we are not entirely confident that the applicant is willing to abide by any hours or conditions attached to a premises licence here.

Contd.

This Licensing Authority is not wholly opposed to a premises licence being granted at this site. Indeed, the application seeks to establish the premises as a restaurant up until midnight; however, it also seeks to subsequently become exclusively a take-away food premises after this time. Take-away food premises have an entirely different dynamic to restaurant premises. While the supply of alcohol with table meals only is a convincing method of alcohol control the fact that the premises becomes a different type of operation at a given time causes this Licensing Authority some concern. The transitional period each evening surrounding the phase when the restaurant ceases to operate and the take-away only aspect commences has the potential for the alcohol supplies to continue beyond the legitimate terminal hour, particularly in light of Mr Kaya's previous history in relation to the provision of licensable activity at the premises.

Havering's Licensing Policy 015 indicates that *the past compliance history of current management* shall be taken into account when determining the application. We would therefore request the Licensing Sub-Committee, if minded to grant this application, gives serious consideration to any permitted hours which may be granted and ensure that conditions appropriate to the premises' risk are included on the licence in order that the applicant is able to manage that risk.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Paul Jones', with a stylized flourish at the end.

Paul Jones
Licensing Officer

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