



LICENSING SUB-COMMITTEE

REPORT

Date 14 March 2016

Subject heading:

Upminster Kebab

127 Avon Road

Application for a premises licence

Report author and contact details:

Arthur Hunt, Licensing Officer

5th floor Mercury House

x 3585

This application for a new premises licence is made by Seyit Guzel under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 25 November 2015.

The original hearing for this application was held on the 18 January 2016. At that time clarification was sought regarding the application, therefore the sub-committee adjourned the matter until the 14 March, for the applicant to clear up the ambiguities in the application by submitting a revised form. There was also concerns expressed over the plan for the premises.

The revised application was received by the Licensing Authority on Monday 29 February 2016 (having been sent by E Mail on Sunday 28 February at 17:22 – attached), some 6 weeks after the initial hearing, thus giving the Responsible Authorities 9 working days to assess the clarified application form.

Details of the application

The applicant seeks the below licensable activities which he requests last until 01 January 2045.

Supply of Alcohol		
Day	Start	Finish
Sunday to Thursday	12:00	23:00
Friday & Saturday	12:00	01:00

Late Night Refreshment		
Day	Start	Finish
Friday & Saturday	23:00	02:00

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Hours open to the public		
Day	Start	Finish
Sunday to Thursday	12:00	23:00
Friday & Saturday	12:00	02:00

In mediation with the Police the applicant varied the requested hours to :-

Supply of Alcohol		
Day	Start	Finish
Sunday to Thursday	12:00	23:00
Friday & Saturday	12:00	23:00

Hours open to the public		
Day	Start	Finish
Sunday to Thursday	12:00	23:00
Friday & Saturday	12:00	23:30

The original plan showed a premise with 56 covers.

The revised application requests:-

Supply of Alcohol		
Day	Start	Finish
Sunday to Saturday	12:00	23:00

Opening hours		
Day	Start	Finish
Sunday to Saturday	12:00	23:30

The time limitation on the original application has been removed.

The amended plan produced with the amended application shows 66 covers (an increase of 10) from the original.

Mr Hopkins (agent to the applicant) sent the revised form and plan to the Responsible Authorities (Licensing Authority, Health and Safety, Planning and Environmental Health (Noise) who had made representations at the initial hearing, but also included the Police, who had not. It was unclear from the hearing whether he should submit it to all nine Responsible Authorities or only those who had submitted representations at the initial hearing.

I therefore forwarded the revised application to all Responsible Authorities.

The application was discussed at the Responsible Authorities meeting on the 3 March 2016. Some Responsible Authorities commented that they should have been given the full 28 day period to consider the application and to respond as appropriate. It must also be stated that at least one of the Responsible Authorities, who had not submitted a

representation at the initial hearing, would have considered submitting a representation, but the status of such was unclear.

Summary

There were four (4) representations against this application from responsible authorities. At the original hearing.

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

Responsible authorities' representations

Mr Campbell has reviewed the application, and his report has been submitted for the information of the sub-committee.

The essence of his report is that this appears to be a "new" application rather than a clarification of the previous submission.



Arthur Hunt,
Licensing Officer

Licensing Sub-Committee, 14 March 2016

Arthur Hunt

From: GRAHAM HOPKINS <gtlicensingconsultants@googlemail.com>
Sent: 28 February 2016 17:22
To: Arthur Hunt
Cc: Oisin.Daly@met.pnn.police.uk; belinda.goodwin@met.pnn.police.uk; John Giles; Sam Cadman; Marc Gasson; Paul Campbell
Subject: Upminster Kebab House
Attachments: Final -- Amended Premise Plan.pdf; Revised App for Prem Lic Oct 2012 GTLC.doc

Dear Mr Hunt,

Upminster Kebab House

Following agreement by Mr Giles H&S Officer and the Food Safety Officer that the amended plan is accurate please find attached the amended application form and plan as agreed at the adjourned Hearing.

We have copied this directly to PC Goodwin & PC Daly, Mr Gasson Noise Specialist, Mr Cadman Planning, Mr Campbell Licensing Specialist & Mr Giles H&S Officer.

If Officers have any questions please contact us directly.
Kind regards,

Graham Hopkins
GT Licensing Consultants [07810 826778](tel:07810826778) // [01268 281457](tel:01268281457)