



Licensing Act 2003 Sub-Committee

Date:	Tuesday, 2 December 2008
Time:	10.00 am
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Trevor Brassey
Tel: 0151 691 8492
e-mail: trevorbrassey@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA

- 1. APPOINTMENT OF CHAIR**
- 2. DECLARATIONS OF INTEREST**

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda, and, if so, to declare them and state what they are.
- 3. MORETON FOOD AND WINE - HOYLAKE ROAD, MORETON (Pages 1 - 26)**
- 4. IRBY KEBAB HOUSE - 10 THINGWALL ROAD, IRBY (Pages 27 - 82)**
- 5. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

To consider matters which the Chair accepts as being urgent.

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 2 DECEMBER 2008

REPORT OF THE DIRECTOR OF REGENERATION

**NAME OF PREMISES: MORETON FOOD AND WINE, 383 HOYLAKES ROAD,
MORETON**

NAME OF APPLICANT: TRADING STANDARDS

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 Moreton Food and Wine currently have a Premises Licence to allow the following Licensable Activity:

Sale by Retail of Alcohol

Monday to Saturday 08:00 to 23:00

Sunday 10:00 to 22:30

3.0 APPLICATION

3.1 An application has been received from Trading Standards to review the Premises Licence for the premises known as Moreton Food and Wine, 383 Hoylake Road, Moreton. The Trading Standards Manager has advised that the grounds for review are in relation to the protection of children from harm following underage sales taking place at the premises.

3.2 Further information to support the above grounds for review is included within the application which is available.

4.0 RELEVANT REPRESENTATIONS

4.1 Merseyside Police have made a representation in support of the application by Trading Standards which relates to the protection of children from harm. A copy of the representation and the supporting documents are available.

4.2 A representation in support of the application by Trading Standards has also been received from Councillor Blakeley as a resident, Councillor Moseley as a resident and Councillor Mountney as an individual who works in the area.

4.3 There have been no representations received from the following Responsible Authorities:

Wirral Area Child Protection Committee

Environmental Health

Fire Authority

4.4 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Licence conditions (permanently or for a temporary period of up to 3 months).
- Exclude a licensable activity from the scope of the Licence (permanently or for a temporary period of up to 3 months).
- Remove the Designated Premises Supervisor (if applicable).
- Suspend the Licence for a period not more than 3 months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

5.0 FINANCIAL AND STAFFING IMPLICATIONS

5.1 There are no financial implications and my existing Licensing staff will deal with this application.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

6.1 There are none arising from this report.

7.0 LOCAL AGENDA 21 IMPLICATIONS

7.1 There are none arising directly from this report.

8.0 LOCAL MEMBER SUPPORT IMPLICATIONS

8.1 The premises are located in the Moreton West and Saughall Massie Ward.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 Article 6 and Article 1 of the First Protocol which is concerned with the protection of property is most likely to have a particular impact.

10.0 COMMUNITY SAFETY IMPLICATIONS

10.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

11.0 PLANNING IMPLICATIONS

11.1 There are no planning implications arising from this report.

12.0 BACKGROUND PAPERS

12.1 Application form applying to review a Premises Licence.

13.0 **RECOMMENDATIONS**

- 13.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the review of a Premises Licence in respect of the above premises.

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478.

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

LICENSING

16 OCT 2008

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 John Malone

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Moreton Food and Wine, 345 Hoylake Road, Moreton	
Post town Wirral	Post code (if known) CH46 0RW

Name of premises licence holder or club holding club premises certificate (if known)
Mrs Ranjan

Number of premises licence or club premises certificate (if known)
LN/206000593

1) A responsible authority (please complete (C) below)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Wirral Trading Standards Wallasey Town Hall Brighton Street Wallasey CH44 8ED
Telephone number (if any) 0151 691 8535

E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

This licence was issued on the 24th November 2005 and was a continuation of a licence previously issued by the Magistrates Court.

On the 10th January 2008 two under age volunteers aged 14 and 16 years of age under the supervision of Merseyside Police was sold a bottle of Pinot Grigio Rose wine (11.5% ABV) The seller was issued with an £80 Penalty Notice for Disorder. The DPS, Mrs Ranjan, was interviewed by Merseyside Police and the police were content as to the procedures she had in place. A decision was made not to prosecute her.

On the 15th April 2008 a test purchase was attempted by Merseyside Police. No sale was made.

On the 17th June 2008 officers from Trading Standards visited the premises and advised Jaseetharan Karthidusu of a planned training session at Wallasey Town Hall on the 3rd July 2008. Jaseetharan Karthidusu did not attend that training session.

On the 14th August 2008 Wirral Trading Standards conducted Operation Marton, a test purchasing exercise using two 15-year-old child volunteers to attempt to purchase alcohol. Moreton Food & Wine failed a test purchase. Jaseetharan Karthidusu was operating the till and sold two bottles of WKD Red alcohol (5% ABV), to a 15 year old child volunteer. The seller has been issued with a Penalty Notice for Disorder for £80.00.

On the 10th September 2008 the DPS, Valarmathy Ranjan, attended at the Town Hall Wallasey for a formal PACE interview. In response to the questions put to her during the interview the following points were raised: -

- Mrs Valarmathy Ranjan is the Manager and Designated Premises Supervisor (DPS) for Moreton Food & Wine.
- Mrs Ranjan has been the DPS of Moreton Food & Wine for over six years.
- When asked how old someone had to be to buy alcohol Mrs Ranjan confirmed that you had to be 18.
- In relation to training for underage sales Mrs Ranjan has done the personal licence holder course.
- There is only one employee at Moreton Food & Wine – Mr Karthidusu. He has been employed since January this year and works approximately 35 to 40 hours per week.
- Mrs Ranjan was asked what training she has provided to Mr

Karthidusu. She showed a letter to confirm that Mr Karthidusu had received a day's training from "Inn Confidence" surrounding underage sales. Mr Karthidusu has also been given tests on underage sales regularly.

- Mr Karthidusu will be attending the training to become a personal licence holder. He has not done so yet owing to staffing/ holiday commitments.
- Mrs Ranjan regularly reminds Mr Karthidusu verbally about his responsibilities and advises him how to check for identification.
- In the shop there are posters relating to underage sales and Mr Karthidusu has been given badges to wear.
- The shop has a refusals register in place. Mr Karthidusu writes down refusals on a separate piece of paper, as his English is not too good, and Mrs Ranjan writes this in the refusal register.
- Mrs Ranjan has a 21 policy in store.
- When asked the reason that Mr Karthidusu sold on this occasion Mrs Ranjan stated that he had said he was nervous because a few hours later someone had stolen some things from the shop.

It was agreed after the interview on the 10th September that Trading Standards would visit Moreton Food & Wine on Wednesday 24th September to provide one to one training to Mr Karthidusu. This training has been completed.

Please provide as much information as possible to support the application (please read guidance note 2)

LICENSING OBJECTIVE - THE PROTECTION OF CHILDREN FROM HARM

The purpose of prohibiting the sale of alcohol to under 18s is to protect young people from harm and to protect the wider community from anti-social behaviour.

The DCMS guidance states;

11.25 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:

for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people

Harm to young people

In 2007 Trading Standards Northwest, an umbrella organisation for Trading Standards authorities, commissioned research into the alcohol purchasing and drinking habits of 15 and 16 year olds. In total 11,724 questionnaires were returned and the following results were noted;

29% who drank alcohol admitted to having been violent whilst drunk - this

figure rose to 32% amongst young males.

15% claimed to have been in a car with a young person who had been drinking.

12% stated that they had regretted having sex after drinking alcohol.

Conclusion

In relation to the sale on the 14th August 2008 Mrs Ranjan can satisfy the statutory defence of exercising all due diligence to prevent a conviction under section 146 of the Licensing Act 2003 and will not face prosecution.

Despite this statutory defence the premises have sold alcohol to under age volunteers twice in 7 months during 2008 and concerns remain over the staff's ability to confidently deal with the refusal to sell alcohol to children.

Trading Standards ask that the following conditions be place on the licence to ensure due diligence is implemented and maintained;

- 1 Adoption of a Think 21 policy and display of the appropriate posters
- 2 Acceptance of passport, photo driving licence or pass accredited identification only in support of till checks.
- 3 Maintenance of a refusal log with regular checks by management to ensure that it is being used.
- 4 Sufficient trained staff to ensure coverage during times when alcohol is sold.
- 5 Regular staff training and that staff attend Trading Standards training when arranged

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

If you have made representations before relating to this premises please state what they were and when you made them

No previous application made.

Please tick yes

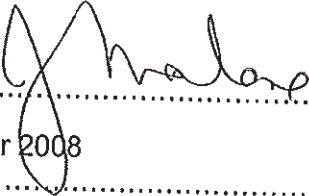
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 
.....
Date 14th October 2008
.....
Capacity Trading Standards Manager
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Leyland, Richard K.

From: Blakeley, Chris (Councillor)
Sent: 18 October 2008 14:58
To: Williams, Chris D.
Cc: Mountney, Simon R. (Councillor); Moseley, Suzanne D. (Councillor); Leyland, Richard K.; O'Donnell, Margaret
Subject: RE: Licensing Act 2003 - Moreton Food and Wine, Hoylake Road, Moreton

Chris

We fully support this review. Whilst the premise may have held a license for a number of years it is clear from both failures of the test purchases that the premises is inclined to dispense alcohol to customers who are under-aged.

We make this representation on behalf of any individuals who submit representations as well as individuals who live and work in Moreton

We would ask that when this license is reviewed, that the strongest possible action is taken by Wirral's Licensing Panel in order to ensure that young children are protected from harm

Please ensure our views are made known to the Licensing Panel and inform us when this hearing will take place in order that we may make representation again.

Regards

Chris Blakeley, Suzanne Moseley, Simon Mountney
Conservative Councillors for Moreton West and Saughall Massie
t. 0151 677 9040
f. 0151 606 9193
M. 07803 614418

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<http://www.chrisblakeley.com>
<http://www.moretonconservatives.com>

Working Harder for Moreton and Saughall Massie

Conservatives - standing up for the issues that matter.

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Chris Blakeley
Conservative Councillor for Moreton West and Saughall Massie
t. 0151 677 9040
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M. 07803 614418



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From: Williams, Chris D.

Sent: 17 October 2008 14:33

To: Blakeley, Chris (Councillor); Mountney, Simon R. (Councillor); Moseley, Suzanne D. (Councillor)

Subject: Licensing Act 2003 - Moreton Food and Wine, Hoylake Road, Moreton

Dear Councillors

Please see the attached for your information.

Regards

Chris Williams

Licensing Assistant

Wirral Council

tel - 0151 691 8019

fax - 0151 691 8215

email - chriswilliams@wirral.gov.uk

web - www.wirral.gov.uk

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Police - Notification of Representation

Date: 20/10/2008

Name	Sgt Dave Peers
Title	Licensing Sergeant
Postal address	Merseyside Police, Licensing Unit, Wallasey Police Station, Manor Road, Wallasey, CH44 1DA
Contact telephone number	0151 777 2944

Premises	Moreton Food and Wine
Address	385/387 Hoylake Rd Moreton

Which of the four licensing Objectives does representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting the representation. Or the reason for the representation. Please use separate sheets if necessary
The protection of children from harm	Y	There is no satisfactory policy outlined in this application as to how this objective will be met.
Public safety		
The prevention of crime and disorder	Y	<p>The purpose of this application is to support Wirral Trading Standards in thier application for a review of the premises licence.</p> <p>Within the last 18 months Merseyside Police have carried out test purchase operations at the premises on three occasions and out of these visits one sale was made this was on the 10th of January 2008. On this occasion the seller was given a fixed penalty notice. On this occasion no further action was taken against the DPS.</p> <p>On the 14th August 2008 Trading Standards officers carried out an underage test purchase operation at the premises. A sale of alcohol was made to two 15 year old volunteers. Again the seller was given a fixed penalty notice and the DPS interviewed by Trading standards officers.</p>
The prevention of public nuisance		

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Suggested condition(s) that could be added to the licence to remedy the representation.	Trading standards have supplied all of the relevant legislation and documentation in order to support of this application. Merseyside police will concur with the information provided.
OTHER	Merseyside Police will also ask that the following conditions be placed on the licence to ensure due diligence is implemented and maintained. <ol style="list-style-type: none">1. Adoption of a Think 21 policy and display of the appropriate posters.2. Acceptance of passport, photo driving licence or pass accredited identification only in support of till checks.3. Maintenance of a refusal log with regular checks by management to ensure that it is being used.4. Sufficient trained staff to ensure coverage during times when alcohol is sold.5. Regular staff training and that staff attend Trading Standards training when arranged.

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UNDERAGE INTOXICATING LIQUOR SALES

Premises Visited: MORETON FOOD + WINE

Name: 385-387

Address: HOLLACE RD MORETON

Post Code: _____

Date of Visit: 10/1/07 Time: 19.08

Item(s) Purchased: 1 BOTTLE 'ROSE WINE'

Price: £ 3.99

I am (name): Sgt DPars from Merseyside Police. You have

just sold this 16yrs + 11yrs year old child (show photograph Ref

No:) intoxicating Liquor (enter details) 1 BOTTLE PINOT

GRIGIO ROSE WINE

Date and Place of Birth: _____

It is an offence to sell intoxicating liquor to someone under 18 years of age. I therefore need to speak to you about this matter.

Age Check material displayed? Yes / No

Q Are you the licensee of this shop?

- Response Yes Go to YELLOW sheets (licensee made sale)
- Yes Go to GREEN sheets (employee made sale but licensee interview)
- No Go to PINK sheets (employee made sale)

~~Action~~

NICHE 0508006777.

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LICENSEE OF PREMISES/LICENSEE MADE SALE

OWNER DETAILS

Full Name: _____

Home Address: _____

Post Code: _____

Telephone Number: _____

Date and Place of Birth: _____

Ownership Details: Sole Trader/Partnership/Ltd Company

Name(s): _____

Home Address/ Registered Office: _____

At this point, I must caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are not under arrest, and are free to leave at any time, you may obtain legal advice before answering any questions. Do you understand that?

Response _____

Q If, at any time during the interview you wish to take legal advice, please tell me and the interview will be stopped. Do you understand?

Response _____

Time Of caution: _____ am/pm

Persons present: _____

Q What is your position in the business?

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Response _____

Q Did you know it was an offence to sell intoxicating liquor to persons under the age of 18?

Response _____

Q Why did you sell intoxicating liquor to this child?

Response _____

Q Did you make any enquiries regarding the age of the purchaser on this occasion?

Response _____

If yes, what enquiries took place? If no, why not?

Q Do you have a refusals book?

Response _____

Q How long have you been trading from these premises?

Response _____

It is an offence to sell intoxicating liquor to any person under the age of 18 years and you will be reported for the offence. Do you wish to make any comment?

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Declaration:

I have read the above information and agree that it is a fair and balanced account of what was said.

Signed: _____ Time: _____ Date: _____

Witnessed:

Name: _____ Time: _____ Date: _____

Name: _____ Time: _____ Date: _____

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PERSON SERVING NOT OWNER

SELLER DETAILS

Full Name: DONNA DUFFY

Home Address: 90 CHURCH RD
BEBINGTON

Post Code: CH63 3ED

Telephone Number: 334 1121

Date and Place of Birth: 11-8-63 - B'HEAD

Position: SHOP ASSIST

At this point, I must caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are not under arrest, and are free to leave at any time, you may obtain legal advice before answering any questions. Do you understand that?

Response YES

Q If, at any time during the interview you wish to take legal advice, please tell me and the interview will be stopped. Do you understand?

Response YES

Time Of caution: 1922 10-1-08 am/pm

Persons present: _____

Q What is your position in the business?

Response SHOP ASSISTANT

Q Did you know it was an offence to sell intoxicating liquor to persons under the age of 18?

Response YES

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Q Why did you sell intoxicating liquor to this child?

Response HE LOOKED OLD ENOUGH

Q Did you make any enquiries regarding the age of the purchaser on this occasion?

Response NO

If yes, what enquiries took place? If no, why not?

Q Are you paid a wage by the licensee?

Response YES

Q How long have you worked in this shop?

Response WEEK AND A SHOP HALT^{NO}

Have you been given any instructions by the owner(s) of this shop about selling intoxicating liquor to persons under 18 years of age?

YES

Q If yes, what were these instructions?

Response ALWAYS ASK FOR ID

+ CHECK ANY ID PRODUCED

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Q Were these instructions given to you in writing?

Response NO

Q When were you last reminded about the law about selling intoxicating liquor by the owner (s)?

Response WHEN I STARTED

Q How was this reminder given to you?

Response VERBALLY

Q Does the owner ever test to see if you know what the law is about selling intoxicating liquor to children? If, yes how does (s)he do this?

Response I DON'T KNOW

Q Do you have a refusals book? (If yes, ask to see it)

Response NO

It is an offence to sell intoxicating liquor to any person under the age of 18 years and you will be reported for the offence? Do you wish to make any comment?

Response NO REPLY

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Declaration:

I have read the above information and agree that it is a fair and balanced account of what was said.

Signed: X *[Signature]* Time: 1927 Date: 10-1-08

Witnessed:

Name: *DArs* Time: 1922 Date: 10-1-08

Name: _____ Time: _____ Date: _____

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LICENSEE INTERVIEW/EMPLOYEE MADE SALE

OWNER DETAILS

Full Name: VALAMARTHY RANJAN

Home Address: 385-387 HOYLAKE RD MORETON

Post Code: CH46 0RW

Telephone Number: 678 1863

Date and Place of Birth: 23/10/68 SRI LANKA

Ownership Details: Sole Trader/Partnership/Ltd Company

Name(s): SIVASUBRAMANIAM RANJAN

Home Address/ Registered Office: _____

Q What is your position in the company?

Response D.P.S.

At this point, I must caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are not under arrest, and are free to leave at any time, you may obtain legal advice before answering any questions. Do you understand that?

Response YES

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Q If, at any time during the interview you wish to take legal advice, please tell me and the interview will be stopped. Do you understand?

Response YES.

Time Of caution: 1320 am/pm

Persons present: DPS + 1/1 OFFICER

Q On (date) 10/1/08 at (time) 1922.

(Name of seller) DONNA DUFFY. sold this intoxicating liquor (Ref No: DPS) to this child (Photograph reference DP/1/2/3/4).

Was (name of seller) DONNA DUFFY. working for you at this time?

Response YES.

Q How long has (name of seller) worked for you?

Response SINCE THE 20TH DECEMBER.

Q On what basis is (name of seller) employed by you?

Response SALES ASSISTANT.

Q How many staff do you employ?

Response SHE IS THE ONLY ONE

Q Did you know that it was an offence to sell intoxicating liquor to persons under the age of 18?

Response YES.

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Q What instructions do you give to your staff about selling intoxicating liquor to children?

Response AS PER DOCUMENTATION

Q How do you give staff these instructions?

Response AS PER DOCUMENTATION.

Q When did you last remind staff of the legal situation relating to the sale of intoxicating liquor? Did you record the information when you gave instructions?

Response AS PER DOCUMENTATION

Do you ever test your employees to see if they know what the law is about selling intoxicating liquor to children? If, yes how do you do this?

Response AS PER DOCS.

Q Do you have a refusals book?

Response YES

It is an offence to sell intoxicating liquor to any person under the age of 18 years and you will be reported for the offence. Do you wish to make any comment?

Response YES

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 2 DECEMBER 2008

REPORT OF THE DIRECTOR OF REGENERATION

NAME OF PREMISES: IRBY KEBAB HOUSE, 10 THINGWALL ROAD, IRBY

NAME OF APPLICANT: YUSUF DUZEN

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application for the grant of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

- 2.1 These premises have not previously been licensed.

3.0 APPLICATION

- 3.1 The application for the grant of a Premises Licence is as follows:

Late Night Refreshment

Sunday to Thursday	23:00 to 00:00
Friday & Saturday	23:00 to 01:00

Hours Open to the Public

Sunday to Thursday	15:00 to 00:00
Friday & Saturday	15:00 to 01:00

4.0 PROMOTION OF LICENSING OBJECTIVES

- 4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would become conditions of licence should the licence be granted.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following Representations have been received in respect of the above application.

Interested Party – Local Residents

In respect of this application 11 representations have been received from Local Residents. The representations relate to public nuisance and anti-social behaviour. A petition, lead by Wirral West Conservatives, has also been received signed by 23 local residents who

are against the application in respect of anti-social behaviour. Copies of the representations and petition are available.

Barry Holland, Solicitor, has also made a representation on behalf of a group of residents and enclosed further representations written individually by residents in relation to Crime and Disorder and Public Nuisance. A further petition signed by 52 local residents who are against the application has also been received which relates to public nuisance and noise nuisance. A copy of Mr Holland's representation and the enclosures are available.

Representations have also been received from Irby Dental Practice and Da Piero Italian Restaurant as local businesses which relate to anti-social behaviour. Copies of the representations are available.

5.2 There have been no other representations received from the following Responsible Authorities:

Merseyside Police
Fire Authority
Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning Authority

6.0 **FINANCIAL AND STAFFING IMPLICATIONS**

6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 **EQUAL OPPORTUNITIES IMPLICATIONS**

7.1 There are none arising from this report.

8.0 **LOCAL AGENDA 21 IMPLICATIONS**

8.1 There are none arising directly from this report.

9.0 **LOCAL MEMBER SUPPORT IMPLICATIONS**

9.1 The premises are located in the Greasby, Frankby and Irby Ward.

10.0 **HUMAN RIGHTS IMPLICATIONS**

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 **COMMUNITY SAFETY IMPLICATIONS**

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 **PLANNING IMPLICATIONS**

12.1 The Director of Technical Services (Development Control) has advised of the following condition attached to the Planning Permission:

‘The premises shall be closed between the hours of 2300 hours and 1200 hours’.

13.0 **ANTI-POVERTY IMPLICATIONS**

13.1 There are none arising from this report.

14.0 **SOCIAL INCLUSION IMPLICATIONS**

14.1 There are none arising from this report.

15.0 **BACKGROUND PAPERS**

15.1 Application form applying for a Premises Licence – Operating Schedule.

15.2 Representations received from Local Residents.

16.0 **RECOMMENDATIONS**

16.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the grant of a Premises Licence in respect of the above premises.

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478

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CW

LICENSING

3 NOV 2008

IRBY.
WIRRAL

Dear Sirs

31-Oct-08

Re Planning & Licensing applications by IRBY Kebab House, 10 Thingwall Road, from 11pm - 12 midnight weekdays + 1am Friday + Saturday. Please take note from the local residents, and reject this application. There are already two public houses plus an off licence in this small village.

This Kebab House, was not wanted here in the first place, and now within only weeks of opening, now wants a late licence. If this is granted, who knows what other horrors

will it be applying for.

This area is a peaceful home for many elderly residents, who already are fearful of going out into the village at night.

Please, please, don't alter the above statement of is into was.

We have already had a taste of anti social behaviour

Thanking you in anticipation of a favourable request.

Yours Sincerely

Disturbances in Irby Village

On 3rd October many residents living in the centre of Irby witnessed problems of anti social behaviour when gangs of youths caused damage to property including broken windows and damage to property and cars.

Police believe this to be an isolated incident caused by drunken youths getting out of hand; one person was arrested and later fined for public order offences and the rest dispersed without further incident. Police and CSO patrols have been increased in the village.

We are working with the police to see if there are any practical measures that the Council can put in place to help, such as improved street lighting, cutting back of tall hedges. Please let us have your suggestions.

LICENSING

29 OCT 2008

RH/CW

IRBY

25TH OCT. 2008

DEAR SIR,

WE FIND IT UNACCEPTABLE THAT YOU WOULD EXTEND THE OPENING HOURS OF THE IRBY KEBAB HOUSE AT 10, THINGWALL ROAD.

THIS IS A RURAL VILLAGE & AS SUCH YOU SHOULD TAKE INTO ACCOUNT THE WISHES OF THE LOCAL RESIDENTS WHO WILL BE DISTURBED BY THIS LATER CLOSING TIME.

AS IRBY RESIDENTS WE MOVED TO THIS LOVELY VILLAGE FOR PEACE & QUIET, NOT TO BE BOTHERED BY LATE NIGHT REVELLERS.

YOURS FAITHFULLY

0151 648 2251

[Redacted]

Inby,
Wittal

[Redacted]

27.10.08

Licensing Authority,
Town Hall,
Brighton Street,
Wallasey.
CH44 8ED.

Dear Sir/Madam,

I am writing to protest strongly about the proposed extended opening hours of the Kebab House at 10 Thingwall Rd, Inby.

We experience enough anti-social behaviour in the village and the above would only encourage more of the same plus the added litter problems.

LICENSING
30 OCT 2008
RL/CW

Yours faithfully,

[Redacted Signature]

[REDACTED]
[REDACTED]
[REDACTED]
LICENSING

1st November ^{NOV} 2008.

RL

IRBY,
WIRRAL,
MERSEYSIDE,
[REDACTED]

Licensing Authority,
Town Hall,
Wallasey.

Dear Sir, IRBY KEBAB HOUSE

I wish to protest against the proposed extension to the opening hours of Irby Kebab House, until midnight on Friday and until 1 AM on Sunday morning.

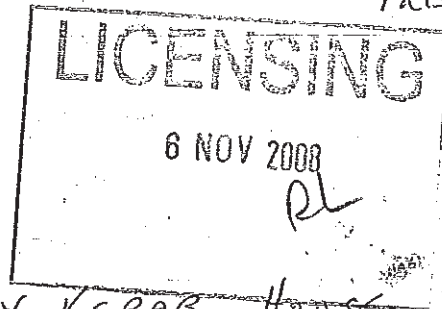
There are 3 blocks of flats within the village, plus accommodation above some of the shops. Many homes and a further block of flats, are adjacent to the village.

The last thing needed is a type of food outlet with extended opening hours, which will result in noise and mess.

Yours faithfully,
[REDACTED]

Licensing Authority
TOWN HALL
Brighton St.
WALSLEY.

IRBY WIRRAL



4/11/08

Dear Sir

IRBY KEBAB House

I write to register my protests against the proposed extension to the opening hours of the IRBY Kebab House i.e. until 12 O'CLOCK on Friday 1 AM. SATURDAY.

Since this establishment recently opened the residents of IRBY have seen an increase in the number of youths hanging around the Village in the Evenings & a marked deterioration in the general behaviour - Cases of fouled Gardens - Cans - Bottles & papers littering the area have been reported.

Please remember that this is very much a residential place catering mostly for the more elderly some of whom are now reluctant to venture out in the Evenings.

I do hope that it is not your intention to create another Market St. here in this part of Wirral.

Yours faithfully

Copy to Stephen HASTED M.P.

IRB1

WIRRAL
20 10 08

LICENSING

27 OCT 2008

24 OCT 2008

Licensing Authority

DIS NAME

ON TIA

I am writing to oppose the request from, Inby Kebab Shop to extend their hours of trading

As a resident on the fringe of Inby village I have noticed, and been affected by a marked increase of vandalism also a high level of noise, especially over weekends.

I am absolutely sure that further opening hours would lead to a rise in the anti social behaviour. Please give a thought for the people that live in the village, there are over thirty dwellings, many residents are afraid in the evening

We have three public houses, all with extended licenses, over thirty residential properties please dont top it off with a kebab shop that is open until late, this will put pressure on a village that is already failing

Yours Sincerely

[Redacted Signature]

Williams, Chris D.

From: Calvert, Margaret on behalf of Licensing
Sent: 03 November 2008 08:52
To: Leyland, Richard K.; O'Donnell, Margaret; Williams, Chris D.
Subject: FW: Licensing Authority [REF:5928015888]

For the attention of whoever is dealing with this

Margaret Calvert

Licensing Team Leader

((0151) 691 8476

* margaretcavert@wirral.gov.uk

& (0151) 691 8215

Visit our website: www.wirral.gov.uk

P Save Paper and print out only what is necessary

-----Original Message-----

From: Comments [mailto:Comments@wirral.gov.uk]
Sent: 31 October 2008 08:31
To: Licensing
Subject: Re: Licensing Authority [REF:5928015888]

----- Original Message -----

From: [REDACTED]
Sent: 30-Oct-2008 16:32:43
To: Comments@wirral.gov.uk
Subject: Licensing Authority

Reference: Extension of Opening Hours At the Kebab House, Irby Village

We would like to object to the application by the above to extend their opening hours from 11pm until midnight on weekdays and 1am on Fridays and Saturdays. Our reasons for objection are as follows:

1. There is no call for such an extension of hours by the local residents. Such an extension would only be of interest to late night revellers from outside the village.
2. Irby village still remains predominantly a quiet, residential area. Extended late night opening would result in more noise and late night disturbance.
3. Approval of extended opening hours would set a precedent for possible future applications by other take away premises. (Although in a different category, we have seen this happen in Heswall where M&S used Tesco's operating hours as one of the reasons to extend their own).

As a corollary to the above, it should be remembered that there was opposition to the Kebab House opening in Irby village as it was considered that the area was already more than well served by take away 'restaurants'. To now extend its hours of opening would just rub salt into an already open wound.

We submit that the proposal to extend the opening hours be rejected.

LICENSING

Planning Department NOV 2008
Licensing Authority

Dear Sir

Kebab House, 10 Thingwall Rd. Ithy

I strongly object to get another alcohol license in Ithy Village. There are seven alcohol outlets in this small area, i.e.

1. The Anchor, 1 Trustbuster Rd.
2. Shippans, 8A Thingwall Rd.
3. Da Pieso, 5 Mill Hill Rd.
4. Cromwells, 19 Thingwall Rd.
5. Ithy Club, Thingwall Rd.
6. Local (off licence) 14 Thingwall Rd.
7. M'Colls Store, Thingwall Rd.
8. Mahuca Bistro Thingwall Rd.

There are also three other food outlets i.e.

9. Lee + Lans, 28 B Thingwall Rd.
10. Fish + Chips, 8 Thingwall Rd.
11. Zewa Tandori 11 Thingwall Rd.

Directly opposite the Kebab House, there is a small complex of retirement apartments, and 50 yards down Thingwall Rd there is another building with 18 apartments (mostly retired people). This increased noise & traffic will do nothing to enhance the lives of the local residents. There is enough trouble with speeding cars & youths hanging around causing trouble.

Yours faithfully

[REDACTED]
Irby

[REDACTED]
31/10/08.

5 NOV 2008

Dear Sir/Wardens,

Re Kelso House / Irby requesting longer opening hours

I strongly object to this Kelso House staying open beyond 11pm on any day, in the week. I believe the recent anti-social behaviour demonstrated nearby, in Irby, will only continue and worsen if Irby village has these premises open so late.

I feel very sorry for these incidents, being within the village. I am sure many of them, probably elderly in many cases, bought their properties they were acquiring and so they should have, a quiet semi-rural environment, surrounded by the green belt. Unfortunately, the village over recent years, has declined with an influx for the roudy and profiteers who just want to make money and do not care about the village or it's residents.

Let's try and keep Irby village traditional as much as possible, with quiet neighs for all, that is decent how.

Yours sincerely

[REDACTED]

[REDACTED]
Irby, Heswall
Wirral, Merseyside
[REDACTED]

28th October 2008

Licensing Authority
Town Hall,
Brighton Street,
Wallasey.
CH44 8ED

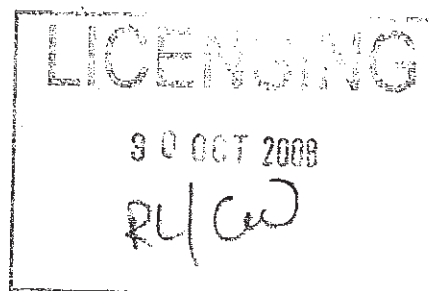
Dear Sir or Madam

Re: Planning and Licensing Application
by Yusuf Duzen, Irby Kebab House, 10, Thingwall Road, Irby

I wish to object strongly against the application for extended opening hours at Irby Kebab House. I feel there are plenty of good eating establishments in Irby already and such late night openings could potentially create extra disturbances caused by anti social behaviour for local people who live or work in Irby, particularly those in close proximity to Irby Kebab House.

Yours faithfully,

[REDACTED]
[REDACTED]



LICENSING
21 OCT 2008
Irby Wirral
Merseyside
Tel:
16th October 2008

Dear Sir

Re: Licensing Act 2003 Irby Kebab House Thingwall Road Irby.

We would like to object the above license being granted for the Irby Kebab House.

Irby has been plagued with young people who are disruptive and damage property within the village. We feel that to have another licensed premises within the village would create more problems than we already have. None of the residence in the village feel that they are willing to keep having to pay for our properties to have damage repaired and graffiti removed any more.

Within the distance of two hundred yards we have 3 public houses (2 of which sell food) 6 eating places of which 3 sell alcohol. To license the above premises to midnight and one o'clock in the morning would just encourage gangs of people till the early hours of the morning to continue drinking. They also have fruit machines which encourages gangs of youths who have nowhere else to go. On this basis we feel that another licensed place would only be adding to an already problem within the village.

Yours sincerely



25th October 2008

Metropolitan Borough of Wirral
Licensing Authority
Wallasey Town Hall
Brighton Street
Wallasey
Wirral
CH44 8ED

Dear Sirs,

Re: Extended Opening Hours – Irby Kebab House

Further to my telephone conversation with Chris, I am writing to confirm my concerns about the application for extended opening hours for the Irby Kebab House.

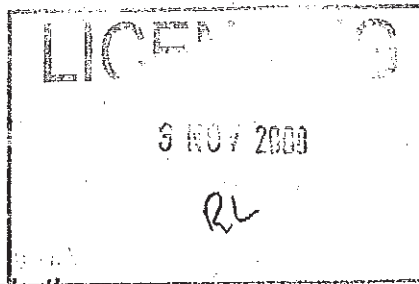
I run a [REDACTED] from the business and since the Kebab House opened there has been problems with groups of youths and anti-social behaviour, particularly on Fridays and Saturdays. Although they have been using the takeaway, I am in no way blaming the Kebab House for this behaviour; it could very well be just a coincidence.

The request to stay open later cannot be justified. Irby has always been a lovely, quiet village and there are flats above and opposite this takeaway.

I must mention that the police are dealing exceptionally well with the anti-social behaviour and are keeping us up-to-date with the proceedings. However, it is concerning the amount of time they have to now spend in the village and the cost to our local police force.

I have always supported the local businesses in the village and have no problems with the Kebab House as such but I do have a problem with the request for the extended opening hours. I might just add that on one evening when we left after 11pm, the Kebab Shop was still open – contrary to his present licence.

I would appreciate it if my details could be kept anonymous as I do not want any problems with the owner of the Kebab House.



Thingwall Road
Irby Village
Wirral

Sarah Hesketh
Planning Department
Cheshire Lines Building
Canning Street
Birkenhead
Wirral
CH41 1ND

27th October 2008

Application 2008/6633 - Extended Trading Hours

Dear Miss Hesketh

The current trading hours that have been licensed for this business are already being flouted with the shop remaining open, serving customers, after 23:00hrs. The proprietor is actively encouraging late customers by offering meals at a discount after the end of his licensed trading hours.

Since this business has opened in the village there has been a marked increase in noise during the night with the noise of customers arriving both by vehicle and on foot causing disturbance to residents in what is a peaceful village. This includes additional conversational noise with people eating their food in the street as well as queuing up to be served.

Since this business has opened there have been several incidents each weekend that have required the intervention of the Police due to large numbers of youths from outside Irby Village attracted by the newly opened kebab shop displaying marked antisocial behaviour; smashing windows, damaging vehicles and business premises and generally terrorising elderly residents. I understand that the Police will be objecting to this application.

My property has had an increase in the amount of rubbish casually discarded at the entrance as well as being thrown over my garden wall.

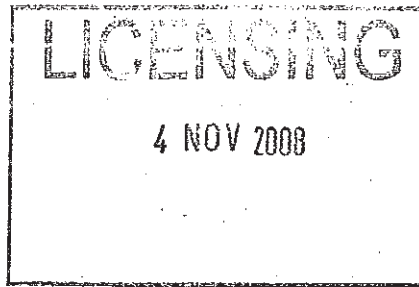
Should this application be granted the number and severity of these incidents can only increase.

Yours Sincerely

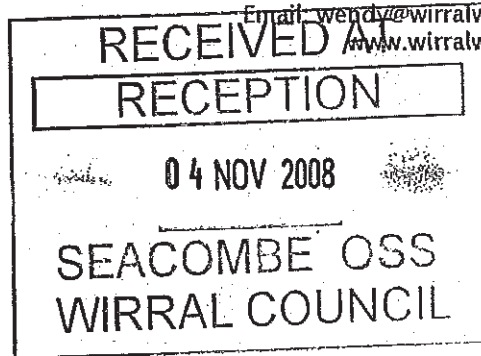

M.D. Gailey

✓ CC. Mr Richard Leyland, Wirral Borough Council, Licensing Department,
Town Hall, New Brighton

Greasby Frankby Irby Action Team



24 Meols Drive,
Hoylake,
Wirral CH47 4AN
Tel.: 0151 632 1052
Fax: 0151 632 4796
Email: wendy@wirralwestconservatives.co.uk
www.wirralwestconservatives.co.uk



Licensing Office
Wirral Council
Town Hall
Brighton Street
Wallasey
Wirral
CH44 8ED

Dear Sir

Irby Kebab House , 10 Thingwall Road

I enclose a petition from local people about the Irby Kebab House. They object to their application to stay open past 11 pm, feeling that this is most inappropriate to the nature of the village and citing concerns about vandalism etc.

We hope that you will consider this strong local feeling in making your decision

Yours sincerely

Wendy J. Clements
Wendy Clements

Have Your Say

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: S.A. EDWARDS
Address: 16 Melville Rd, IRBY
WIRRAL CH47 1BR

Telephone Number: 0151 648 2657

mail Address: Wendy Clements, Wirral West Conservatives,
lease return to: Wendy Clements, Hoylake, Wirral CH47 1BR

FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: HEATHER POOLE, DANIEL POOLE
Address: 202 IRBY RD, IRBY, WIRRAL CH47 1BR
I am absolutely convinced that after opening
ours will put a financial increase on the localist and
put social behaviour we already have

Telephone Number: 0151 648 2100

mail Address: Wendy Clements, Wirral West Conservatives,
lease return to: Wendy Clements, Hoylake, Wirral CH47 1BR

FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: Mr. F. & Mrs. B. WALLACE
Address: 49, GORSE ROAD
IRBY, WIRRAL

CH47 1BR

Telephone Number: 0151 648 3211

mail Address: Frederick Halifax @hsccoln.south.wilc
lease return to: Wendy Clements, Wirral West Conservatives,

to Have Your Say about this potential change

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: ANDREW TRAVIS
Address: 8 THE GLOBE
IRBY CH47 1BR

Telephone Number: 07837 034748

Email Address: andrew.travis@morganstc.com

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: Mr. N.S.T. MRS. V. C. MADNEN,
Address: 85, THUNSWAN RD, IRBY, CH47 1BR

Telephone Number: 07973 682907

Email Address: nicogardner@btinternet.com

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: MR & MRS DAVEY
Address: 1, EDGEMOOR DRIVE
IRBY

Telephone Number: 648 2757

Email Address: 20757@hotmail.co.uk

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

to Have Your Say about this potential change to our



I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: JANE TOWNER

Address: 77 THINGWALL RD

IRBY

CH47 306

Telephone Number: 0151 648 1816

Email Address:

Please return to: Wendy Clements, Wirral West Conservatives,

FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

to Have Your Say about this potential change to our village.



I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: ANNE + MIC Mc MANUS

Address: 12 MANOE RD

IRBY

WIRRAL

Telephone Number: 0151 648 1286

Email Address: anneandmic@bt.com

Please return to: Wendy Clements, Wirral West Conservatives,

FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR



I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: GUILLIAN JONES

Address: 2, SEAVIEW LAKE

IRBY

WIRRAL CH47 341

Telephone Number: 0151-648-2290

Email Address:

Please return to: Wendy Clements, Wirral West Conservatives,

FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR



I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: R. G. and S. PATRICE

Address: 4, Seaview Lane

Irby, Wirral

CH47 3UL

Telephone Number: 0151 648 1175

Email Address:

Please return to: Wendy Clements, Wirral West Conservatives,

FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR



I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: ILY & MIND DAVIDSON

Address: 3 MANOE RD

IRBY

Telephone Number: 648-1718

Email Address:

Please return to: Wendy Clements, Wirral West Conservatives,

FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm
Name/s: MR. A. MRS. MAHEHAN
Address: HOYLAKE HOUSSE 6 MAJOR ROAD
WIRRAL, WIRRAL
Telephone Number: 0151 648 5934
Email Address: N. WAKEHAM @ SKY.COM
Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

Have Your Say about this potential change to our village.

I support the campaign to stop Irby Kebab House

from opening past 11 pm
Name/s: MR + MRS. J.A. STEVENS
Address: 211 IRBY ROAD
WIRRAL
Telephone Number: 0151 648-2781
Email Address:
Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm
Name/s: MR. CL. KIRCH
Address: 12, MANOR COURT
30 THINGWALL ROAD, IRBY
Telephone Number: 0151 648 0516
Email Address:
Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm
Name/s: Mrs B.D. BEAPPA
Address: Flat 10 Manor Court
30 THINGWALL ROAD,
IRBY
Telephone Number: 648 1931
Email Address:
Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm
Name/s: Mrs. D.M. COURT
Address: 18, Manor Court, 30 Thingwall Rd
IRBY, Wirral, CH 61 3WB
Telephone Number: 648 2254
Email Address:
Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

to Have Your Say about this potential change to our village.

I support the campaign to stop Irby Kebab House

from opening past 11 pm
Name/s: Mr + Mrs DENANE
Address: 11, Manor Court
30 THINGWALL ROAD, IRBY
Telephone Number: 648-5914
Email Address: CH61 3WB
Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

to Have Your Say about this potential change to our village.

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: KYNNE PATOMBELO

Address: 14 ROSLIN RD
IRBY WIRRAL

Telephone Number 0151 648 0403

Email Address: Lynne.Palombe@tiscali.co.uk

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: MR. ROY WILSON

Address: 15 THURSTASTON ROAD
IRBY

Telephone Number 0151-648-4532

Email Address: CH61 0HA

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR
to Have Your Say about this potential change to our village.

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: HOYA WILSON

Address: 15 THURSTASTON ROAD
IRBY

Telephone Number 0151 648 4532

Email Address: WIRRAL CH61 0HA

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: G. CALWAY, G.R. CALWAY

Address: 20 THURSTASTON RD
IRBY

Telephone Number 648 0137

Email Address: 648 0137

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: A.P.F.A. MARTIN

Address: 13 MANOR COURT THINGWALL RD
IRBY WIRRAL CH61 3WB

Telephone Number 0151 648 2891

Email Address: MARTIN.PETER@sky.com

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR

Wendy Clements - Wirral West Conservatives
to Have Your Say about this potential change to our village.

I support the campaign to stop Irby Kebab House

from opening past 11 pm

Name/s: MYRANE DANNY

Address: 5 The Olive Irby
Wirral CH61 3VJ

Telephone Number

Email Address

Please return to: Wendy Clements, Wirral West Conservatives,
FREEPOST LV7945, 24 Meols Drive, Hoylake, Wirral CH47 1BR



BARRY K HOLLAND
SOLICITOR AND NOTARY PUBLIC

47 Hamilton Square, Birkenhead CH41 5BD
Phone 0151 666 2181
Fax 0151 647 1025
Email: barry@barryholland.com
www.barryholland.com

LICENSING

20 OCT 2008

Our Ref: BKH/ME/LAZ01001
YourRef:

Richard Leyland Esq
Wirral Borough Council
Licensing Department
Town Hall
Brighton Street
Wallasey
Ch44 8ED

17 October 2008

Dear Sir

Re: 10 Thingwall Road, Irby

I am instructed by one local resident to lodge a formal representation opposing the application for a Premises Licence at 10 Thingwall Road, Irby.

My client is the spokesman for a group of residents who may wish to lodge their own representations or who may adopt the grounds set out in this letter. The representation is based on the following issues:-

- a) Opening beyond 23.00 hours on a daily basis will lead to an increase in crime and disorder. Late Night Refreshment after 23.00 hours is aimed primarily at those customers who have been drinking and who then find themselves in a very quiet neighbourhood where other licensed premises have been closed. On one Friday evening after these premises opened (in clear breach of planning permission) a large group of youths caused damage to property and stole from at least one local shop resulting in there being five Merseyside Police vehicles involved and several arrests made.
- b) There is a risk to public safety as these premises have no car park and the area immediately in front of the shop is in a pedestrian crossing zone. There is already evidence of people parking badly to visit these premises and there is therefore concern for public safety. If they are to open after 23.00 hours when many of the people concerned will have consumed alcohol.
- c) There will be an increase in public nuisance as set out in the grounds mentioned above noise, disturbance and an increase in litter will surely follow. Long hours means more obnoxious smells will be produced which will affect the whole of the area. The applicant has opened in clear breach of a planning condition which requires his fume extraction system to be built in accordance with a plan approved by the planning authority and, despite warnings, he is still trading without having conformed to that plan. There is current a noise nuisance caused by equipment

within the property and this should not be allowed to be a disturbance to neighbours at all let alone beyond the current 23.00 terminal hour.

- d) Increases noise and disturbance after 23.00 hours will keep people, including children, awake and therefore cause harm to children.

I reserve the right to add to or vary these representations.

Evidence will be called but although the applicant has been told by Wirral Borough Council officers from two departments at least that his terminal hour is 23.00 hours he has consistently since opening (in breach of planning conditions as stated above) stayed open until well after midnight. He shows unwillingness to confirm to properly imposed regulation and therefore any application to increase his hours of opening should be refused.

It is appreciated that planning conditions are not relevant in applications for Premises Licences but we will be asking officers from the Environmental Health Department and Planning Department to confirm continuing breaches of conditions as demonstrating the likely outcome of any extension of hours.

Please acknowledge safe receipt and when considering fixing a date our Mr Holland would be most grateful if he could be consulted in order to avoid diary clashes.

Yours faithfully



Barry K Holland Solicitor



BARRY K HOLLAND
SOLICITOR AND NOTARY PUBLIC

47 Hamilton Square, Birkenhead CH41 5BD

Phone 0151 666 2181

Fax 0151 647 1025

Email: barry@barryholland.com

www.barryholland.com

Mr Richard Leyland
Licensing Department
Wirral Borough Council
Town Hall
Brighton Street
Wallasey

LICENSING

5 NOV 2008

Our Ref: BKH/ME/LAZ01001

YourRef:

5 November 2008

E-Mail and Hand Delivery of Hard Copy: richardleyland@wirral.gov.uk

Dear Sir

**Re: Application for Premises Licence for Late Night Refreshment at
Irby Kebab House, 10 Thingwall Road, Irby**

We refer to our previous letter which you have kindly confirmed has been accepted as a representation and, together with a number of other letters will ensure that this application come before the Licensing Panel for adjudication.

We now enclose the following documents for your attention:-

1. Petition signed by 52 local people objecting to extended trading hours.
2. Four letters of objection which we have lettered and believe count as representation on the grounds indicated:-
 - A) Crime and Disorder and Public Nuisance
 - B) Public Nuisance
 - C) Public Nuisance
 - D) Public Nuisance; Crime and Disorder

We understand that you may have already received one or more of these letters directly but are client is anxious that the strength and feeling against this application is properly shown and if there are duplicates please take the appropriate action.

Reference is made in some of the documents to opposing the application for Planning Permission which was made at the same time as the Premises Licence application. It is understood that this application is being refused but the grounds of objection in these letters are clearly identical.

We also enclose photocopies of logs sheets provided by Wirral Borough Council and completed by our client in connection with noise nuisance emanating from the application site. The originals of these sheets are with the Environmental Health Department and copies have been sent to the planning enforcement officer. These documents are produced to show

the closing time of the application site from which you will see that on only one occasion between the 29th September and 25th October did the premises close at the time stated in the planning permission and thus was serving Late Night Refreshment illegally on all the other days. We understand that the applicant has been warned by the Environmental Health Department, the Planning Department and your department not to open beyond the hours stated in his planning permission and this is the result.

These notes were made by our client's family who occupy both as a home and the business the adjoining premises. This evidence suggests that the applicant does not comply with conditions and that the grant of a premises licence (despite matching planning permission) may lead to further public disturbance. On a similar point the planning permission granted indicated that an extract system in accordance with an approved plan had to be in place prior to opening. The applicant has opened and traded the premises in contravention of this condition. It is appreciated that planning and premises licensing are separate issues but the Committee should be aware of the way in which this applicant behaves hence the production of this information. We reserve the right to produce at the hearing evidence of late opening which we are told is still continuing.

We would be grateful if you would acknowledge safe receipt and would appreciate copies of the representations which will be placed before the Panel. When fixing a date for the hearing please contact this office so that any potential diary clashes can be avoided.

Yours faithfully



Barry K Holland

Encs

26.10.08



[REDACTED]
Irby Road

IRBY

WIRRAL
[REDACTED]

I am writing to appose the application that Irby kebab House has applied, for late night opening, the last thing we want is anymore late extended hours. As a resident on the fringe of the village, I have noticed a increase of noise, anti social behaviour and vandalism.

The village is about two hundred and fifty yards long, in that space are, Three public Houses, four restaurants, and three food take aways, in the heart of that are about thirty residential properties that have all had planning permission to be there

Very recently, we as residents, have suffered windows smashed, cars keyed, gardens used as toilets, litter and vomit on the pavements, bus shelters smashed, and rubbish bin ripped from the ground and thrown into a garden.

I am absolutely convinced that further opening hours will only add to a problem we already have.

Up to recently the village was safe and friendly, surrounded by its sandstone walls, distinctive of Wincor

Irby Village is semi rural and just five minutes walk is "in my opinion" one of the most stunning, picturesque views on the Wirral "the top of Thrusaston Hill", So please consider these points and help us preserve our village.

Yours Sincerely



(B)

[REDACTED]
Irby,
Wirral.
[REDACTED]

Ms S Hesketh
Wirral MBC
Technical Services Department
Cheshire Lines Building
Canning Street
Birkenhead
CH41 1ND

25th October 2010

Dear Ms Hesketh

Planning Application 2008/6633 to extend Opening Hours of Kebab Shop at 10 Thingwall Road, Irby.

May I add my voice to the many objections you will no doubt have received regarding the above planning application.

Having been forced to accept the Council's earlier decision to grant the application enabling the kebab shop to open for business, I and many other Irby residents, are now distressed at the prospect of the business being allowed to extend its opening hours to midnight or later. Irby is a small, generally quiet and peaceful village and we fear this peace will suffer if permission is granted.

Observation shows that, although not exclusively so, kebab-eaters tend to be in the younger age group, rather than the older, and it is this age group which also tends to be the most rowdy, troublesome and, I regret to say, less conscientious with the responsible disposal of litter. In short, we think it probable that late opening will bring a lot of noisy young people - many of whom at that time will have spent the night drinking in public houses - into the village, causing upset to residents and an inevitable increase in litter and/or worse.

I do not object to reasonable opening hours as kept responsibly by the other eating establishments in the village, but I do object most strongly to midnight or later. This goes against the established culture of our village and will affect our wellbeing - for which the Council has a duty of care.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

COPY

Irby, Heswall
Wirral, Merseyside



28th October 2008

Planning Dept.,
Cheshire Line Buildings,
Canning Street,
Birkenhead.
CH41 1ND



Dear Sir or Madam

Re: Planning and Licensing Application
by Yusuf Duzen, Irby Kebab House, 10, Thingwall Road, Irby

I wish to object strongly against the application for extended opening hours at Irby Kebab House. I feel there are plenty of good eating establishments in Irby already and such late night openings could potentially create extra disturbances caused by anti social behaviour for local people who live or work in Irby, particularly those in close proximity to Irby Kebab House.

Yours faithfully,

(D)


Thingwall Road
Irby Village
Wirral


Sarah Hesketh
Planning Department
Cheshire Lines Building
Canning Street
Birkenhead
Wirral
CH41 1ND

27th October 2008

Application 2008/6633 - Extended Trading Hours

Dear Miss Hesketh

The current trading hours that have been licensed for this business are already being flouted with the shop remaining open, serving customers, after 23:00hrs. The proprietor is actively encouraging late customers by offering meals at a discount after the end of his licensed trading hours.

Since this business has opened in the village there has been a marked increase in noise during the night with the noise of customers arriving both by vehicle and on foot causing disturbance to residents in what is a peaceful village. This includes additional conversational noise with people eating their food in the street as well as queuing up to be served.

Since this business has opened there have been several incidents each weekend that have required the intervention of the Police due to large numbers of youths from outside Irby Village attracted by the newly opened kebab shop displaying marked antisocial behaviour; smashing windows, damaging vehicles and business premises and generally terrorising elderly residents. I understand that the Police will be objecting to this application.

My property has had an increase in the amount of rubbish casually discarded at the entrance as well as being thrown over my garden wall.

Should this application be granted the number and severity of these incidents can only increase.

Yours Sincerely


CC. Mr Richard Leyland, Wirral Borough Council, Licensing Department,
Town Hall, New Brighton

PETITION

We, the undersigned residents of Irby, oppose Planning Application No APP/2008/6633 to enable the kebab shop at 10 Thingwall Road, Irby to trade until 12 midnight each weekday and until 1 am on Fridays and Saturdays on the grounds that it will result in noisy and bouterous behaviour at late hours in our quiet village, and will create a litter problem.

NAME	ADDRESS	SIGNATURE
J. Webster	1 GRANGEWOOD, THORSTASTON	
D. HIGGINSON	28A THINGWALL R.D. IRBY.	
G. HIGNETT	10 SEAVIEW AVENUE IRBY	
R BLAILEMOR	7 Mill Hill Rd IRBY	
K BLAKEMOR	11 11	
A. King	109 THINGWALL RD, IRBY	
J VICKERS	23 COOMBS RD IRBY	
A. HAYLEY	78 SPARKES LANE	
A HOLLOWAY	8 SOUTHHEY ROAD IRBY	
J. CHAM	4 CON. STON 1.2.3.7	
D. BURKE	10 THORSTASTON RD	
A. H. AERWOOD	18 THINGWALL RD	
R. SWABY	35 HEATHBANK AVE IRBY	
R LONGTHORNE	137 THINGWALL RD IRBY WIRRAL	
J.C. JONES	16 THINGWALL RD IRBY	
M.R. WAKEMAN	6 MANON ROAD IRBY	
D. SMAIN	39 TOWNSEND AVE, IRBY	
M. JONES	73 GLENWOOD DRIVE IRBY.	
T. BAKER	46 GLENWOOD DRIVE IRBY	
D. ST JOHN	25 THINGWALL RD IRBY	
S ROBERTSON	113 THINGWALL RD IRBY	
B. J. STOKES	102 MILL HILL RD IRBY	

PETITION

We, the undersigned residents of Irby, oppose Planning Application No APP/2008/6633 to enable the kebab shop at 10 Thingwall Road, Irby to trade until 12 midnight each weekday and until 1 am on Fridays and Saturdays on the grounds that it will result in noisy and bouterous behaviour at late hours in our quiet village, and will create a litter problem.

NAME	ADDRESS	SIGNATURE
S Mcdon	29 MANOR AVE	
P. Bird	2 Manor Rd Irby.	P. Bird
A. Halligan	27 Wood end Rd Irby	A. Halligan
C. McNeil	13 Wood end Rd Irby	C. McNeil
B JENKINS	62 MILL HILL RD IRBY	B Jenkins
P. GATLEY	THE LONG BARN THINGWALL ROAD IRBY	P Gately
M COLLINS	IRBY FARM HOUSE THINGWALL RD IRBY	Michael Collins
P LANDRUM	THE GRANARY THINGWALL RD IRBY	P L
C. JELLEY	159 IRBY RD., IRBY, CH61 2XE	648 4997 C. Jelley
HG JONES	90 GLENWOOD DRIVE IRBY	HG Jones 648 5508
S M JONES	90 GLENWOOD DRIVE IRBY	S. M Jones 648 5508
TWIN TRADE LTD DAVID PARRY	4 THINGWALL ROAD IRBY	0151 648 648 6666 David Parry
R. KAY	96 FISHERS LANE IRBY 0151 6484807	R Kay
JEAN HEATH	233 IRBY ROAD, IRBY CH61 2XA	J. M. Heath
Barbara Norris	32 FAR MEADOW LANE IRBY CH61 4XW	B. Norris
HUGH POTTER	100 MILL HILL ROAD, IRBY (648-4276)	H. Potter
J C FAIRCLOUGH	HEATH HOUSE 87 THURSTASTON RD IRBY CH61 1CH	J. C. Fairclough
P BURTON	ELM COTTAGE 73 THURSTASTON RD IRBY CH61 1CH	P Burton
C ROGERS	1 FORBECK DRIVE IRBY WIRRAL	C Rogers
CAROL ROGERS	1 FORBECK DRIVE IRBY WIRRAL	Carol Rogers
DOREEN COURT	18, MANOR COURT IRBY WIRRAL	D. M. Court
Chris Collins	69 Thingwall Rd	Chris Collins

LOG OF NOISE NUISANCE OCCURRENCES

If you are unable to complete this log sheet, please contact your case officer who will be able to offer other methods of recording your noise nuisance.

<u>YOUR NAME & ADDRESS</u> (Please amend any mistakes)		<u>NAME & ADDRESS OF NOISE SOURCE</u> (Please amend any mistakes)		
[REDACTED]		[REDACTED]		
Home Tel. No. _____ Work Tel. No. _____				
<u>Date</u>	<u>Start Time</u>	<u>Finish Time</u>	<u>Type of Noise (be specific)</u>	<u>Noisiest Location</u>
e.g. 01/05/02	10.35 pm	11.35 pm	Dog barking in rear yard	First floor rear bedroom
06-10-08	1.30 pm	11.50 pm	low frequency hum from extractor unit commenced 5.30pm. [bridge drags]	Hall and landing, bedroom + kitchen
22-10-08	12.00 pm	11.10 pm 11.20 pm	low frequency hum from extractor unit, drones from bridges [excessive noise from unit, drones from bridges] 5.00pm-11.00pm	Hall, landing, bedroom + kitchen
23-10-08	12.00 pm	11.00 pm 11.11 pm	low frequency hum from extractor unit, drones from bridges	Hall, landing, bedroom + kitchen
24-10-08	12.00 pm	11.10 pm 11.20 pm	low frequency hum from extractor unit, drones from bridges [Excessive noise from unit, drones from extractor unit] 5.00pm-11.00pm	Hall, landing, bedroom + kitchen
25-10-08	12.00 pm	11.25 pm 11.11 pm	low frequency hum from extractor unit, drones from bridges [excessive noise from unit, drones from bridges] 10.30pm	Hall, landing, bedroom + kitchen

Complaint reference number: **WK/208030843 SRP**

Signature: _____

Continue overleaf if necessary

Date	Start Time	Finish Time	Type of Noise (be specific)	Noisiest Location
e.g. 01/05/02	10.35 pm	11.35 pm	Dog barking in rear yard	First floor rear bedroom
6-10-08	1.30 pm	11.50 pm [12.00 am] unit off	low frequency hum from extractor unit, drones from fridges	Hall and landing, bedrooms + kitchen.
7-10-08	12.00 pm	11.50 pm [12.00 am] unit off	low frequency hum from extractor unit, drones from fridges	Hall and landing, bedroom + kitchen.
8-10-08	12.15 pm	12.00 am unit off [12.03 am] unit off	low frequency hum from extractor unit, drones from fridges	Hall and landing, bedroom + kitchen.
9-10-08	12.00 pm	12.00 am unit off [11.11 am] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
10-10-08	12.00 pm	12.45 am unit off [11.11 am] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
11-10-08	11.50 am	11.15 pm unit off [11.11 am] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
12-10-08	12.15 pm	11.05 pm unit off [11.11 am] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
13-10-08	12.00 pm	11.05 pm unit off [11.11 am] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
14-10-08	12.00 pm	11.15 pm unit off [11.30 pm] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
15-10-08	12.00 pm	12.20 pm unit off [11.24 pm] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
16-10-08	12.00 pm	11.20 pm unit off [11.24 pm] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
17-10-08	12.00 pm	11.25 pm unit off [11.30 pm] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
18-10-08	12.00 pm	11.10 pm unit off [11.15 pm] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
19-10-08	12.00 pm	11.30 pm unit off [11.25 pm] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
20-10-08	11.30 am	11.20 pm unit off [11.25 pm] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedrooms + kitchen.
21-10-08	12.00 pm	11.20 pm unit off [11.25 pm] unit off	low frequency hum from extractor unit, drones from fridges	Hall, landing, bedroom + kitchen.

LOG OF NOISE NUISANCE OCCURRENCES

If you are unable to complete this log sheet, please contact your case officer who will be able to offer other methods of recording your noise nuisance.

YOUR NAME & ADDRESS (Please amend any mistakes)		NAME & ADDRESS OF NOISE SOURCE (Please amend any mistakes)		Noisiest Location	
[REDACTED]		Ibby Kebab House 10 Thingwall Road Ibby Wirral CH61 3UE		First floor rear bedroom	
Date	Start Time	Finish Time	Type of Noise (be specific)	Noisiest Location	
09.01/05/08	10.35 pm	11.35 pm	Dog barking in rear yard		
29/9/08	11.30 am	12.18 am	Drones from Fridges and Fan	Hall and all the bedrooms	
30/9/08	11.30 am	12.18 am	Drones from Fridges and Fan	Hall and all the bedrooms	
1/10/08	11.30 am	12.20 am	Drones from Fridges and Fan	Hall and all the bedrooms	
2/10/08	11.30 am	12.10 am	Drones from Fridges and Fan	Hall and all the bedrooms	
3/10/08	11.30 am	12.18 am	Drones from Fridges and Fan NOTE: The Fan was switched off 100m.	Hall and all the bedrooms	
4/10/08	12.00 p.m.	12.45 am	Drones from Fridges and Fan	Hall and all the bedrooms	
5/10/08	1.00 p.m.	12.10 am	Drones from Fridges and Fan	Hall and all the bedrooms	
6/10/08	1.30 p.m.				

Home Tel. No. [REDACTED]
 Work Tel. No. [REDACTED]

Complaint reference number: **WK/208030843 SRP**

Signature: _____

Continua overleaf if necessary

Sergeant D. Peers
Police Licensing Section
Manor Road Police Station
Manor Road
Wallasey
CH44 1DA

18 November, 2008

To: Licensing Authority
Town Hall
Brighton Street
Wallasey
CH44 8ED

Our ref: IHF/WK/208035257

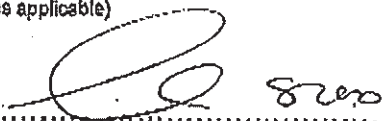
LICENSING ACT 2003 – Variation DPS: Premises Licence LN/206001155 (Kings Arms Hotel)

I can inform you that I have / ~~have not~~ received a full copy of the application within 48 hours from 18th November 2008.

I can also advise you that I ~~do~~ / do not* wish to make representation on the application. I will forward any representation, if necessary, to you within 28 days from the above date.

(*please delete as applicable)

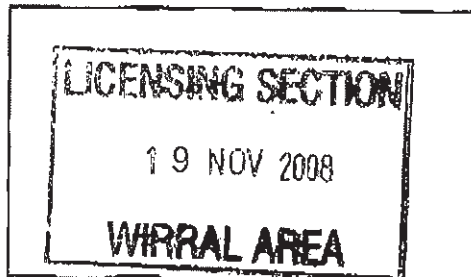
Signed:



Dated:

19/11/08

Merseyside Police Official Stamp:





**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 enclosed with this application form and 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.....YUSUF DÜZEN.....apply for a premises licence under section 17 of
(insert name(s) of applicant)
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 <u>10- Thingwall Road-</u>	
Post town <u>Thingwall</u>	Post code <u>CH61 3JZE</u>

Telephone number at premises (if any)	<u>0151 929 5889</u>
Non-domestic rateable value of premises	£ <u>6,400</u>

Part 2 – Applicant details

Please state whether you are applying for a premises licence as

- Please tick ✓ yes
- 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 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 Mrs Miss Ms Other title
(for example, Rev)

Surname *B*

DÜZEN

First names

YUSUF

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

11. Westry Close

Post Town

moreton

Postcode

Ch46 6JT

Daytime contact telephone number

0151 678 5818

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (If applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓/yes

Current postal
address if
different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc).
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	

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

Day		Month		Year	

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

--

Please give a general description of the premises (please read guidance note 1)

Take away Hot Food

What licensable activities do you intend to carry on from the premises?
(please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003).

Provision of regulated entertainment

please tick ✓ yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick ✓ (Please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tues					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thurs					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tues					
Wed			State any seasonal variations for the exhibitions of films (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (Please read guidance note 3)
Day	Start	Finish	
Mon			
Tues			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thurs			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick ✓</u> Please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (Please read guidance note 3)		
Mon					
Tues					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance notes 5)		
Sat					
Sun					

E

Live Music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick ✓</u> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tues					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

F

Recorded Music Standard days and timings (Please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick ✓</u> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tues					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performance of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick ✓</u> (Please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Tues					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5).		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick ✓</u> (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Thur					
Fri					
Sat					
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be indoors or outdoors or both</u> please tick ✓ (please read Guidance note 2)		Indoors
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick ✓ (please read Guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give a description of the facilities for dancing you will be providing</u>		
Tue					
			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Fri					
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities of dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility the you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

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	
				Outdoors	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11. pm	12. pm			
	11				
Tue	11- pm	12. pm			
Wed	11- pm	12. pm	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thurs	11- pm	12. pm			
Fri	11. pm	1. am	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 (please read guidance note 5)		
Sat	11- pm -	1- am			
Sun	11- pm -	12. pm			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ box (please read guidance note 7)	On the premises	
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thurs			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

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

Name.....

Address.....

Postcode.....

Personal Licence number (if known).....

Issuing Licensing authority (if known).....

N

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

O

Hours premises are open to the public
Standard days and timings
(please read guidance note 6)

State any seasonal variations (please read guidance note 4)

Day	Start	Finish
Mon	3- Pm	12- AM
Tue	3- Pm	12 Pm
Wed	3- Pm	12 Pm
Thurs	3- Pm	12- Pm
Fri	3- Pm	1- Am
Sat	3- Pm	1- Am
Sun	3- Pm	12 Pm

Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)

P

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

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

These premises are situated in a byway and I don't see there being any problems within the vicinity of the premises.

b) The prevention of crime and disorder

I have shutters on the premises
I will call the police if there are any problems

c) Public safety

I will comply with any requirements by the fire Authority.
I have fire extinguishers in place.

d) The prevention of public nuisance

I will ensure that my customers leave the premises quietly (although I don't believe there will be an issue re public nuisance)

e) The protection of children from harm

No children allowed on the premises after 9pm unless supervised by an adult.


Please tick ✓/yes

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 08/10/2008
.....
Capacity
.....

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

Signature
.....
Date
.....
Capacity
.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)		