



Public Document Pack

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Committee Manager Carrie O'Connor, Committee Manager

10 January 2019

Licensing Subcommittee

A meeting of the Licensing Subcommittee will be held in Committee Room 1 (Pink Room), Arun Civic Centre on the Friday, 25th January, 2019 **at 9.30 am** and you are requested to attend.

Members: Councillors Clayden, Cooper and Warren

AGENDA

1. ELECTION OF CHAIRMAN

2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and officers should make their declaration by stating :

- a) the item they have the interest in
- b) whether it is a pecuniary, personal and/or prejudicial
- c) the nature of the interest

3. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

4. EXEMPT INFORMATION

The Committee is asked to consider passing the following resolution:-

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified again the items.

5. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE (EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO INDIVIDUALS) (Pages 1 - 10)

To consider the attached report.

6. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE (EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO INDIVIDUALS) (Pages 11 - 22)

To consider the attached report.

The meeting will then move into open session

7. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE, BEST KEBAB, 18 QUEENSWAY, BOGNOR REGIS (Pages 23 - 56)

This report requests Members to consider the matter of an application for the variation of a premises licence for Best Kebab, 18 Queensway, Bognor Regis.

Note : *Indicates report is attached for all Members of the Council only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager).

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Agenda Item 5

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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ARUN DISTRICT COUNCIL

LICENSING SUBCOMMITTEE – 25th JANUARY 2019

PART A: REPORT

SUBJECT: Application for the variation of a Premises Licence

REPORT AUTHOR: Glenn James, Licensing Officer DATE: 2 January 2019 EXTN: 37681 PORTFOLIO AREA: Place

EXECUTIVE SUMMARY: This report asks Members to consider the matter of an application for the variation of a premises licence for Best Kebab, 18 Queensway, Bognor Regis
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RECOMMENDATIONS: It is recommended that the Members consider application and make an appropriate decision from the options available to them at section 3.0 of this report.
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1. BACKGROUND:

1.0 Introduction

- 1.1 Mr Mehmet Karakus has made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 1.2 The premise is subject to an existing premises licence for the provision of late night refreshment.
- 1.3 The premises is situated on a main thoroughfare where there is a mix of residential and business properties. .
- 1.4 The premise is a small fast food outlet with a maximum of 8 covers and operates only at street level.
- 1.5 The variation to the application is for the following licensable activities:

Supply of alcohol on and off premises	13.00.00 to 01.00 Monday to Wednesday 13.00 to 03.00 Thursday 13.00 to 04.00 Friday and Saturday 13.00 to 01.00 Sunday
Hours open to the public	13.00.00 to 01.00 Monday to Wednesday 13.00 to 03.00 Thursday 13.00 to 04.00 Friday and Saturday 13.00 to 01.00 Sunday
Removal of condition	On all days when the licence permits the

	premises to remain open after 01.00, a licensed and registered door supervisor will be deployed on the premises from 01.30 until the premises closes. The person deployed in this capacity will not perform any other role whilst performing door supervision activities.
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1.6 The current licence is for:

Supply of Alcohol	No alcohol currently being supplied
Hours open to the public	13.00 to 01.00 Monday to Wednesday 13.00 to 03.00 Thursdays 13.00 to 04.00 Friday and Saturday 13.00 to 01.00 Sunday
Licence condition	On all days when the licence permits the premises to remain open after 01.00, a licensed and registered door supervisor will be deployed on the premises from 01.30 until the premises closes. The person deployed in this capacity will not perform any other role whilst performing door supervision activities.

1.7 Representations against the application have been received from Licensing authority, Environmental Health, Regeneration team, Sussex police and Bognor Regis Town Council. The representations are considered valid in regards to the licensing objectives, The Subcommittee may only consider those points within representations which are relevant in terms of the Act and relate to the licensing objectives.

1.8 The applicant was advised of the nature of the representations and responded to Licensing on 30th November 2018, that the SIA door staff will remain and to reduce the hours for the sale of alcohol, however he did not provide any times for which the sale of alcohol will take place.

1.9 On 14th December 2018 the applicant responded to the police representation stating that he would wish to remove the SIA door supervisor on Fridays and to keep the SIA door supervisor on Saturdays. He also stated he would reduce the sale of alcohol on:

Sundays to Wednesday 13.00 to Midnight
Thursday to Saturday 13.00 to 02.00

The applicant has stated they wish to keep the existing conditions and operating schedule, but refers to any other condition to be added to the licence to promote the licensing objectives

1.10 At the present time there is no sanitary accommodation in the premises for customers. The guidance for sanitary accommodation in a food business states: 'Restaurants, cafes, fast food outlets and canteens with 0-8 seats = no minimum sanitary requirements required'.

2.0 POLICY CONSIDERATIONS

Arun's policy states:

- 5.10 Arun District Council acknowledges that licensing law is not a mechanism for the general control of anti-social behaviour by people once they are beyond the direct control of the individual, club or business holding a licence, certificate or relevant permission. However, the Licensing Authority believes a level of responsibility for customer or member behaviour clearly exists beyond the site boundary. The Licensing Authority will seek compelling evidence linking incidents that occur away from particular premises when making decisions concerning licences, certificates or notices. The control of anti-social behaviour away from licensed premises, qualifying clubs and temporary events is primarily a matter for the Police but the individual, club or business holding a licence, certificate or relevant permission will be expected to work in co-operation with the Police to ensure that, wherever possible, anti-social behaviour away from premises and events is minimised.
- 6.2 This policy shall avoid unnecessary duplication or inefficiencies by properly separating the planning and licensing regimes in operation.
- 8.2 The licensing committee or its subcommittee licensing authority is only able to impose additional conditions that are clearly proportionate and appropriate following relevant representation made to the authority or that are agreed with the applicant. Such conditions will only be imposed if appropriate for the promotion of the licensing objectives. The licensing authority may act in its capacity as a responsible authority and raise representations in relation to an application if it deems it appropriate to do so.
- 11.5 The Council may require stricter (noise) conditions where the premises are situated in an area primarily of a residential nature.

3.0 OBSERVATIONS

- 3.1 The Subcommittee is obliged to determine the application with a view to promoting the licensing objectives, which are:
 - i) The Prevention of Crime and Disorder
 - ii) The Prevention of Public Nuisance
 - iii) Protection of Children from Harm
 - iv) Public Safety
- 3.2 In making its decision the Subcommittee is also obliged to have regard to national guidance and Arun's Statement of Licensing Policy.
- 3.3 The Subcommittee must also have regard to all relevant representations and evidence that it hears

2. PROPOSAL(S): To consider the applicant with a view the licensing objectives and make an appropriate decision from the options available at section 3.0 of this report.

3. OPTIONS

3.1 Grant the licence as applied for

3.2 Grant the licence with the modified times and conditions as stated in appendix 7

3.3 Grant the licence but add whatever conditions is deemed appropriate to promote the licensing objectives

3.4 Modify the application

3.5 Refuse the application

4. CONSULTATION: Not Applicable

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	✓	
Relevant District Ward Councillors	✓	
Relevant Authorities	✓	
Other groups/persons (please specify)	✓(public advert)	

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)

	YES	NO
Financial		x
Legal		x
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability		x
Asset Management/Property/Land		x
Technology		x
Other (please explain)		x

6. IMPLICATIONS:

7. REASON FOR THE DECISION: The Council has a statutory duty to determine the application and give full reasons for their decision.

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APPENDICES:

- 1 Application
- 2 current licence
- 3 Photographs of the local area
- 4 Plan of premises
- 5 Representations
- 6 Correspondence from applicant regarding licensing representation
- 7 Correspondence from applicant regarding police representations
- 8 Guidance for the provision of sanitary accommodation

BACKGROUND PAPERS:

Licensing Act 2003
Section 182 Guidance
Arun District Council Statement of Policy

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* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Best Kebab

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Mr Mehmet

* Family name

Karakus

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

Your position in the business

Home country

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	<input type="text" value="[REDACTED]"/>
Street	<input type="text" value="[REDACTED]"/>
District	<input type="text" value=""/>
City or town	<input type="text" value="[REDACTED]"/>
County or administrative area	<input type="text" value=""/>
Postcode	<input type="text" value="[REDACTED]"/>
Country	<input type="text" value="United Kingdom"/>

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Best Kebab"/>
Street	<input type="text" value="18 Queensway"/>
District	<input type="text" value="Bognor Regis"/>
City or town	<input type="text" value="West Sussex"/>
County or administrative area	<input type="text" value=""/>
Postcode	<input type="text" value="PO21 1QT"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number	<input type="text" value="[REDACTED]"/>
Non-domestic rateable value of premises (£)	<input type="text" value="8,400"/>

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VARIATION

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Sale of Alcohol consumption ON/OFF the premises
Sunday to Wednesday from 13:00 to 01:00
Thursday from 13:00 to 03:00
Friday and Saturday from 13:00 to 04:00

Removal of condition

On all days when the licence permits the premises to remain open after 01:00, a licensed and registered door supervisor will be deployed on the premises from 01:30 until the premises closes. The person deployed in this capacity will not perform any other role whilst performing door supervision activities.

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

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Continued from previous page...

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

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Continued from previous page...

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Until 04:00 hours the day following the Thursday before Good Friday, on the Sundays before Bank Holiday Mondays, on Christmas Eve and New Years Eve.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Until 04:00 hours the day following the Thursday before Good Friday, on the Sundays before Bank Holiday Mondays, on Christmas Eve and New Years Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

On all days when the licence permits the premises to remain open after 01:00, a licensed and registered door supervisor will be deployed on the premises from 01:30 until the premises closes. The person deployed in this capacity will not perform any other role whilst performing door supervision activities.

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Please see below

b) The prevention of crime and disorder

- 1) The dps, a personal licence holder or trained member of staff nominated in writing by the dps shall be on duty at all times the premises are open to the public.
- 2) a) A cctv system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.
b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.
c) All staff who may work front of house shall be trained to operate the cctv system and download images.
d) At least one member of staff trained to operate the cctv system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a usb stick, cd or other acceptable means as soon as possible and in any case within 24 hours of the request
- 3) challenge 25 shall be operated as the proof of age policy.
- 4) all staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
- 5) An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
 - A) All crimes reported,
 - B) Lost property,
 - C) All ejections of customers,
 - D) Any complaints received,
 - E) Any incidents of disorder,
 - F) Any seizure of drugs or offensive weapons,
 - G) Any faults in the cctv,
 - H) Any refusal in the sale of alcohol.
 - I) Any visit by a relevant authority or emergency service
- 6) Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:
 - A) That cctv & challenge 25 are in operation;
 - B) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
 - C) Of the permitted hours for licensable activities & the opening times of the premises;
 - D) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.

Continued from previous page...

c) Public safety

A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.

d) The prevention of public nuisance

- 1) The front of the premises shall be kept tidy at all times and be swept at close.
- 2) Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate)
- 3) No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00.
- 4) Any music played will only be played at background level.
- 5) An incident book shall be kept at the premises and made available to the police or authorized council officers –see box b condition 5 for full details of the information to be recorded.
- 6) A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

e) The protection of children from harm

- 1) Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving license, hm forces photographic id card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.
- 2) All refusals of the sale of alcohol shall be recorded in the refusals section of the incident book. The incident book shall be kept and produced to police & authorized council officers on request –see section b condition 5 for full details.
- 3) Relevant notices will be prominently displayed by the entry/ exit door and point of sale as appropriate– see section B condition 6 for full details.
- 4) All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorized council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
- 5) All alcohol shall be ancillary to the operation of the premises as a mainly takeaway restaurant. Alcohol may only be supplied with a substantial food order.
- 6) All alcohol will be displayed and kept and will be sold from behind the counter and to be dispensed by a member of staff only
- 7) The delivery of alcohol to be made only to a residential or business address, where it is clearly evident that the customer is a resident or occupies the business.
- 8) The delivery of alcohol will not be made to a person in a public place such as a street corner, park or bus stop etc.
- 9) Customers to be reminded it is a criminal offence for a person under 18 years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18 years
- 10) ID verification will be made when orders containing alcohol are delivered (no ID no delivery) – acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure
- 11) All serving and delivery staff shall receive regular training, a minimum of twice a year on the prevention of underage sales and on Challenge 25 scheme.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/arun/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)



Licensing Act 2003 – Premises Licence

Licence No: **6739**

Licence Valid From: **02/11/2011**

Licence Holder: MR M KARAKUS

Address of Licence Holder: BEST KEBAB
18 QUEENSWAY
BOGNOR REGIS
PO21 1QT

Address of Licensed Premises: BEST KEBAB
18 QUEENSWAY
BOGNOR REGIS
PO21 1QT

Hours Premises Open To the Public

Monday from 13:00 to 01:00
Tuesday from 13:00 to 01:00
Wednesday from 13:00 to 01:00
Thursday from 13:00 to 03:00
Friday from 13:00 to 04:00
Saturday from 13:00 to 04:00
Sunday from 13:00 to 01:00

Until 04:00 hours the day following the Thursday before Good Friday, on the Sundays before Bank Holiday Mondays, on Christmas Eve and New Years Eve.

Any Time Restrictions for Activities

Late Night Refreshment

Monday from 23:00 to 01:00
Tuesday from 23:00 to 01:00
Wednesday from 23:00 to 01:00
Thursday from 23:00 to 03:00
Friday from 23:00 to 03:50
Saturday from 23:00 to 03:50
Sunday from 23:00 to 01:00

Until 03:50 hours the day following the Thursday before Good Friday, on the Sundays before Bank Holiday Mondays, on Christmas Eve and New Years Eve.

Designated Premises Supervisor:
Address of DPS:
Personal Licence Number:
Personal Licence Issuing Authority:

The licensable activity of Late Night Refreshment is permitted to take place Indoors

Mandatory Conditions:

Conditions Consistent with the Operating Schedule:

General

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

We will stop serving food ten minutes before closing time.

A log of incidents will be maintained at the premises and made available to the police and licensing authority on request.

The Prevention of Crime and Disorder

On all days when the licence permits the premises to remain open after 01:00, a licensed and registered door supervisor will be deployed on the premises from 01:30 until the premises closes. The person deployed in this capacity will not perform any other role whilst performing door supervision activities.

An SIA registered door supervisor will remain on the premises at all times when licence conditions require their presence.

A Pubwatch radio will be provided for use by the door supervisor(s).

Clear and legible notices shall be displayed at the entrance and exit informing customers that disorderly behaviour will not be tolerated and that they are not to congregate outside the premises. The door supervisors will, where necessary, remind customers of this requirement. Any customer who then continues to ignore the requirement of the notices will be barred from the premises for a minimum period of six months.

A register will be maintained detailing customers who it has been necessary to bar from the premises. This register will be made available upon request for inspection by officers of Sussex police and/or the licensing authority.

Existing CCTV system to be maintained on the premises. Recordings shall be kept for 31 days and made available to the Police on request.

Clear and legible notices shall be displayed with the message CCTV IN OPERATION.

No less than two members of staff shall be on the premises from 22.00 until terminal hour.

Public Safety

Appropriate fire safety procedures are in place including fire extinguishers, H2O and CO2, internally illuminated fire exit signs, a smoke detector and emergency lighting.

All emergency exits will remain clearly marked at all times.

Emergency escape routes will be kept free of obstruction at all times.

The Prevention of Public Nuisance

Clear and legible notices shall be displayed asking customers to leave quietly.

Clear and legible notices shall be displayed at the entrance, exit, requesting that customers do not congregate outside the premises.

Staff shall perform regular litter pick ups in the area around the front façade of the premises.

After 00:00 hours (midnight) the windows and doors to the premises will be kept closed except for access /egress.

A small number of tables and chairs will be provided inside the premises so that customers can wait inside for meals.

The Protection of Children from Harm

Measures already in place with regard to The Protection of Children from Harm.

Conditions Attached after a Hearing by the Licensing Authority:

1. CCTV, with recording facilities, providing coverage both inside and outside the premises to be installed in consultation with Sussex Police. All CCTV recordings will be kept for a minimum of 31 days and be made available to the Police and or the Licensing Authority upon request and if recording tapes are used, these will be replaced on a yearly basis to ensure recording quality is of a satisfactory standard.
2. Notices to be displayed requesting that customers leave the premises quietly.
3. Noise from musical entertainments to be kept to a reasonable level and not be audible outside the boundaries of the premises after 2300 hours.
4. The applicant to use best endeavours to clear up the rubbish outside the premises immediately at the front on the footpath and at the back.

Plans: See Separate Sheet

INFORMATIVE:

The provision of live or recorded music between 8am and 11pm is not licensable (and so any conditions relating to the provision of live or recorded music do not apply) if;

The performance takes place to an audience of no more than 500 persons and;

The performance must take place when the premises are open and licensed for the sale or supply of alcohol for consumption on the premises.

The provision of plays and dance performances between 8am and 11pm to an audience of 500 persons or less is not licensable (any related conditions do not apply within the stipulated hours).

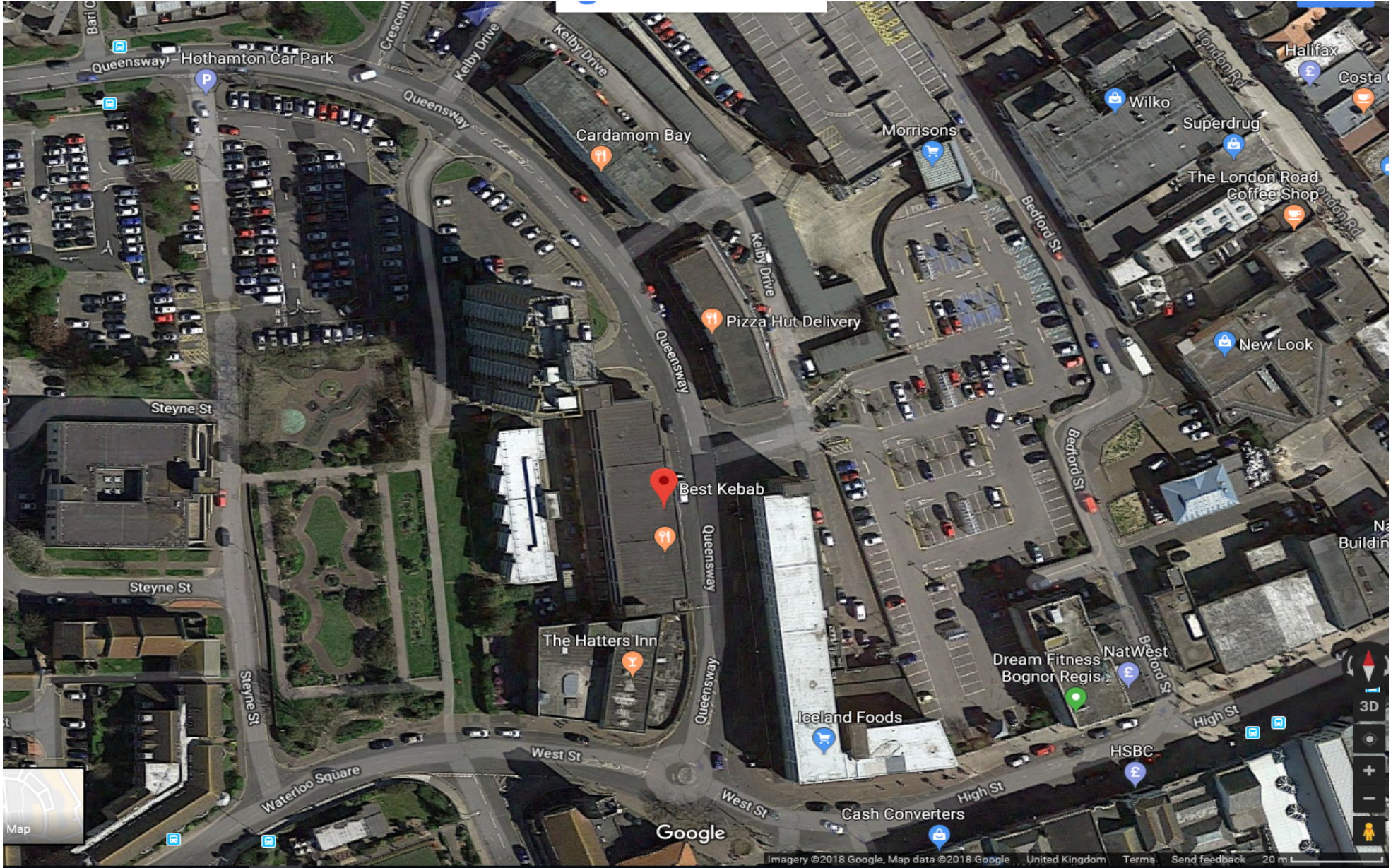
Indoor sporting events other than boxing or wrestling (with or without any martial arts) are not licensable between 8am and 11pm to an audience 1000 persons or less (any related conditions do not apply within the stipulated hours).

This Licence has been Authorised by:

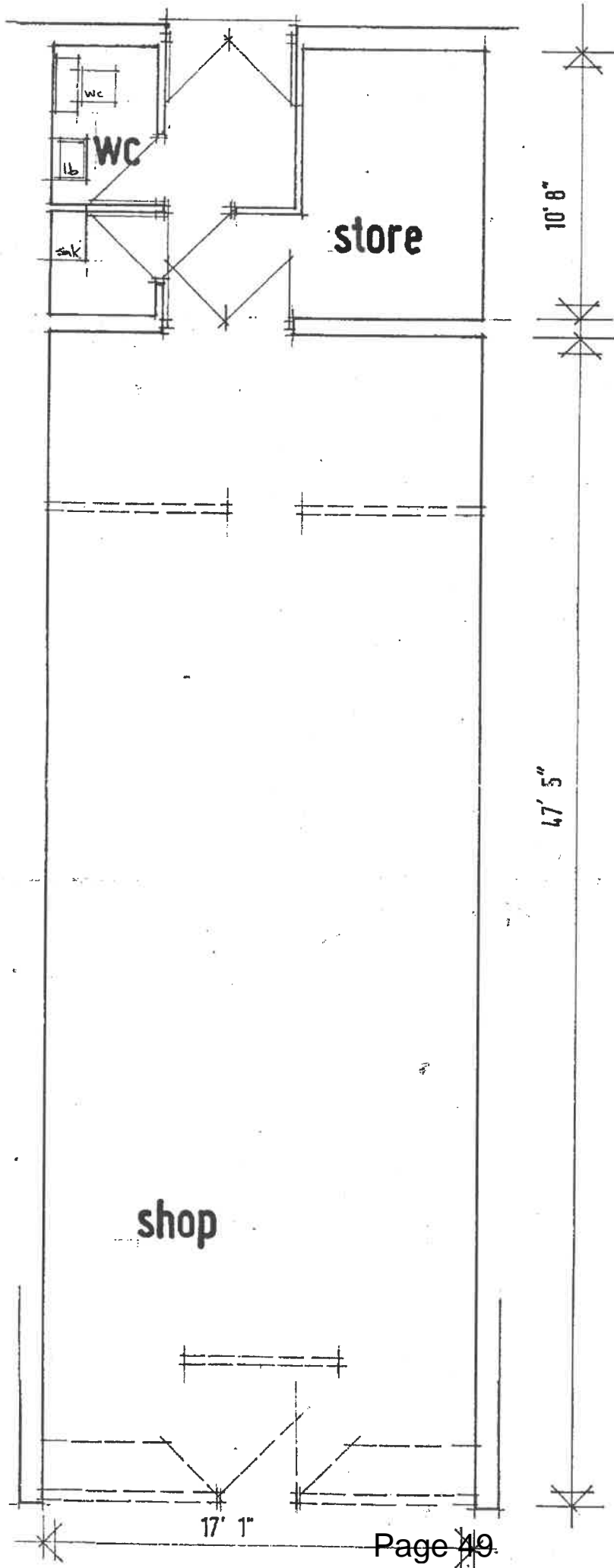


Sarah L. Meeten
Authorised Officer
08 August 2017

This Licence is issued by the Arun Licensing Team; all enquiries should be made to: Licensing Team Environmental Health Service, Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF or licensing@arun.gov.uk.



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floor plan 1/4" = 1'0"

18 QUEENSWAY
BOGNOR REGIS

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From: Joanne Davis <joannedavis@bognorregis.gov.uk>
Sent: 12 December 2018 13:01
To: Licensing
Subject: Licence Number - 111224

Licensing Act 2003

Premises: Best Kebab, 18 Queensway, Bognor Regis
Licence Number: 111224

The premises licence as detailed above, was discussed at the Bognor Regis Town Council, Planning and Licensing Committee meeting on 4th December 2018.

Whilst the Committee did not object to the scheduled days/timings to supply alcohol, Members **RESOLVED** to **OBJECT** to the application for the sale of alcohol for consumption off the premises on the following grounds:- Prevention of crime and disorder; and the prevention of public nuisance.

There were concerns over alcohol being available to purchase at such an early hour, especially due to where this premises is situated in the Town Centre, and the potential for issues with street drinkers and antisocial behavior in nearby areas such as the Sunken Gardens and Queensway car park. The Town Council has been working successfully with other organisations and the police to address the situation of street drinking in Bognor Regis and this application goes against this work.

Kind regards,

Jo

Jo Davis

Civic & Office Manager
Bognor Regis Town Council
Town Hall
Clarence Road
Bognor Regis
West Sussex PO21 1LD
joannedavis@bognorregis.gov.uk
01243 867744

*Town Council Office Hours: 9.00am-1.00pm and 2.00pm-5.30pm Mon-Thurs
Please note the office is closed between 1.00pm and 2.00pm Mon-Thurs and all day Friday*

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From: Anna Appleton
Sent: 07 December 2018 14:56
To: Licensing; Sarah Meeten
Subject: Variation to Premises Licence - Best Kebab, Queensway, Bognor Regis

Dear Sirs

Objection to variation application for Best Kebab, Queensway, Bognor Regis

-
Environmental Health would like to raise an objection to the application to vary the above licence on the following grounds:

The Prevention of Public Nuisance

The applicant seeks permission for the sale of alcohol during its opening hours, (Sunday - Wednesday from 1pm – 1am, Thursday from 1pm - 3am and Friday and Saturday from 1pm – 4am). They also seek to remove the need for SIA registered door staff. There are residential flats directly above and opposite the premises as well as in the surrounding street. The proposed extended hours for the consumption of alcohol combined with the lack of supervision would give rise to a **strong** potential for public nuisance due to noise from customers e.g. from customers shouting, loud talking etc. This is compounded by the fact that at 3-4am the background noise in the area will be quiet e.g. no traffic, so any noise from customers inside or outside the shop will be magnified and are more likely to cause a nuisance to residents nearby.

The Prevention of Crime & Disorder

This local area has already been identified as an area dealing with anti-social behaviour relating to the night time economy. Therefore the proposed extension to the hours that alcohol is sold could fuel more of this behaviour with customers drinking into the early hours of the morning.

Should you have any further queries please do not hesitate to contact me.

Anna Appleton

Anna Appleton Environmental Health Team Leader, Arun District Council Location: Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37676 External: +44 (0) 1903 737676 E-mail: anna.appleton@arun.gov.uk Secure E-mail: aappleton@arun.gcsx.gov.uk
Visit Arun's web site at www.arun.gov.uk  Save the environment - think before you print.

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Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex. BN17 5LF

Tel: (01903) 737755

Fax: (01903) 723936
DX: 57406 Littlehampton
Minicom: (01903) 732765 
web: www.arun.gov.uk/licensing
email: sarah.meeten@arun.gov.uk

30 November 2018

Your Ref: .

Our Ref: EH/SM/L6739. /sm

Please ask for:
Sarah Meeten
Environmental Health
Direct Line: (01903)737755

Dear Sirs,

Objection to variation application for Best Kebab, Queensway, Bognor Regis

I act on behalf of the Licensing Authority as a Responsible Authority. The authority is in receipt of a variation application dated 12/11/18. It is contended that the application if granted will undermine the licensing objectives of The Prevention of Crime & Disorder and the Prevention of Public Nuisance.

Essentially the variation seeks:

- Removal of the requirement for use of SIA registered door staff at the premises
- Addition of the sale of alcohol

The above two proposals being made in tandem are alarming to officers, especially in the locality of the premises which is a known anti-social behaviour hot spot. There is concern that the applicant has not considered the needs of the community together with the needs of his business, this being evidenced through the contradictory nature of the proposal. Removing door staff whilst proposing to sell alcohol and failing to offer any adequate alternatives to mitigate the risks that arise from such an activity is considered unacceptable.

Traditionally late night refreshment licences have been granted to such establishments with hours later than nearby alcohol licensed premises with a view to customers being able to purchase hot food and or drink on their way out of the area which accommodates the individual needs whilst assisting to wind down the evening and disperse customers gradually. This application seeks to continue supply of alcohol until between 0100hrs and 0400hrs depending on the day of the week.

The operating schedule proposes conditions that appear to have been lifted from another application in another area, indeed even referring to the wrong police force. Although the content is substantial in wording it lacks enforceable and clear steps that the applicant will

take to ensure that his business does not adversely impact on the local amenity and undermine the licensing objectives.

This local area is focus for authorities working to deal with issues of anti-social behaviour relating to the night time economy. The applicant has not proposed any measures that will suitably mitigate the impact of continued supply of alcohol in this area at such hours of the morning and no consideration appears to have been given to the needs of the local amenity.

Proposed steps in the operating schedule include the maintenance of records and the implementation of proof of age policies. Officers across agencies have commented that they have observed that English language skills of staff appear to be a barrier to communication. It is unclear how the applicant will be able to uphold his obligations if staff cannot effectively communicate with customers.

It is proposed that on and off sales of alcohol may be supplied to those purchasing a 'substantial meal'. The term 'substantial meal' is not defined. The applicant will have no control over customers once they leave the vicinity of the premises and consume alcohol in the streets with their food at the end of an evening.

For those consuming alcohol on the premises in the small amount of seating available, it is proposed that no SIA registered staff are required. In addition there appears to no toilet accessible. Officers have concern of the effects of supply of alcohol at these premises on immediate and wider areas.

The Licensing Authority granting a licence for provision of alcohol (or indeed the operation of a late night refreshment premises) with no SIA registered door staff at such late hours on such a regular basis, in an area with residential accommodation above would not be considered to be fulfilling obligations to promote the licensing objectives in the proposed circumstances.

Yours Sincerely,

Sarah Meeten
Licensing Manager