

West Devon Licensing Sub-Committee



West Devon
Borough
Council

Title:	Agenda
Date:	Wednesday, 8th June, 2016
Time:	2.00 pm
Venue:	Chamber - Kilworthy Park
Full Members:	<p style="text-align: center;">Chairman</p> <p style="text-align: center;">Vice Chairman</p> <p><i>Members:</i> Cllr M J R Benson Sanders Pearce</p>
Substitutes:	Councillors:
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Committee administrator:	Member.Services@swdevon.gov.uk

- 1. Appointment of Chairman**
- 2. Application to vary the premises licence of Dillan's Kebab House, Okehampton** **1 - 42**

Agenda Item 2

Report to: **Licensing Sub-Committee**
Date: **8th June 2016**
Title: **Application to vary the premises licence of Dillan's Kebab House, Okehampton**
Portfolio Area: **Customer First**
Wards Affected: **Okehampton West**
Relevant Scrutiny Committee:

Urgent Decision: **Y** Approval and clearance obtained: **Y**

Author: **Naomi Wopling** Role: **Specialist – Licensing**

Contact: **01803 861268 / naomi.wopling@swdevon.gov.uk**

Recommendations:

That the Sub-Committee considers the application to vary the Premises Licence and makes a determination in respect of this application, namely to:

- i grant the application as submitted, subject to any Mandatory Conditions required;**
- ii modify the conditions of the licence;**
- iii reject the whole or part of the application and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.**

in line with the licensing objectives contained within the Licensing Act 2003.

1. Executive summary

- 1.1 The purpose of the Licensing Sub-Committee meeting is to determine an application for the variation to the Premises Licence at **Dillan's Kebab House, 9 West Street, Okehampton, EX20 1HQ** in accordance with Section 34 of the Licensing Act 2003.
- 1.2 The Licensing Authority received an application for the variation to the premises licence of the above on 13 April 2016. A copy of the application is attached at **Appendix A**. The application is to include the sale of alcohol for consumption off the premises during current operating hours: Sunday to Thursday from midday to midnight; Friday and Saturday from midday to 1am. This would include off-sales of alcohol to people attending the premises in person and also off-sales of alcohol through the take-away home delivery service. Persons would not be permitted to consume alcohol purchased while on the premises. Section 16 of the application contains the steps the applicant proposes to take to promote the four licensing objectives.
- 1.3 The current premises licence permits the provision of late night refreshment Sunday to Thursday from 11pm to midnight; Friday and Saturday from 11pm to 1am; New Year's Eve from 11pm to 2am. Opening hours are Sunday to Thursday from midday to 12.30am; Friday and Saturday from midday to 1.30am; New Year's Eve midday to 2.30am. A copy of the current premises licence is at **Appendix B**.
- 1.4 Late night refreshment is the provision of hot food and/or hot drinks between the hours of 11pm and 5am. Outside of these hours this activity is not licensable.
- 1.5 Seven relevant representations were received during the consultation period from the Police, Licensing Authority, three Borough Councillors and two Parish Councils. Copies of these can be found at **Appendix C**.
- 1.6 Issues raised in the representations relate to concerns about an increase in crime and anti-social behaviour in the vicinity of the premises should alcohol be available. Linked to this is the proximity of the premises to residential properties and the potential for a public nuisance to be caused to local residents should customers be able to purchase alcohol. Also raised in a number of the representations are concerns relating to the 'protection of children from harm' licensing objective, particularly in relation to home deliveries of alcohol and how the applicant proposes to ensure that alcohol is not delivered to underage persons.
- 1.7 The premises is located in the town centre, but is also in close proximity to residential properties. There are location plans at **Appendix D**.

- 1.8 Alcohol may not be sold under a premises licence without a designated premises supervisor (DPS) in place. This is an individual that holds a personal licence and is in charge of the day-to-day running of the premises. As the premises is currently only licensed to sell hot food and hot drinks a DPS is not required. However, in conjunction with this variation application, we have also received an application to vary the premises licence to specify Mr Murat Kaya as the DPS.
- 1.9 We have not been able to mediate between all parties and so a satisfactory conclusion has not been possible. The Licensing Sub-Committee will now need to consider this application.

2. Background

- 2.1 As relevant representations in respect of this application have been received, which have not been withdrawn and mediation has not been possible, the Licensing Sub-Committee acting on behalf of the Licensing Authority must make a determination on this application. When coming to a decision, the Licensing Sub-Committee must give consideration to the Council's Statement of Licensing Policy (the Policy) and Home Office guidance issued under Section 182 Licensing Act 2003 (revised March 2015).
- 2.2 Section 3.1 of the Policy states: The Licensing Authority has a duty under the Act to carry out its licensing functions with a view to promoting the four licensing objectives. (These objectives are the only matters to be taken into account in determining the application and any conditions attached must be appropriate to achieve the licensing objectives).
- 2.3 The four licensing objectives are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm.
- 2.4 Section 3.2 of the Policy states: A licence (or club premises certificate) will only be granted where the Licensing Authority is satisfied that these objectives have been met.
- 2.5 Section 3.3 of the Policy advises applicants that when addressing the licensing objectives in their operating schedules that they should have regard to the type of premises, licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community.
- 2.6 Section 4.1 of the Policy sets out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard.

2.7 The Guidance issued under Section 182 of the Licensing Act 2003 which was revised and re-published in March 2015 state: The Licensing Authority may not impose conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives (paragraph 10.8 of the guidance).

2.8 The following responsible authorities are statutory consultees under the Licensing Act 2003:

- West Devon Borough Council Licensing Authority
- Devon and Cornwall Police
- Devon and Somerset Fire and Rescue Service
- Devon Safeguarding Children's Board
- Devon County Council Trading Standards
- Devon Drug and Alcohol Action Team, NHS Devon
- West Devon Borough Council Planning Department
- West Devon Borough Council Environmental Health (Health & Safety)
- West Devon Borough Council Environmental Health (Pollution Control)

Out of the above responsible authorities, representations have been received from the Police and Licensing Authority.

2.9 In addition to the above responsible authorities, any person may make a representation in relation to a premises licence application, including District Councillors and Parish Councils. District Councillors and Parish Councils are notified of every application for a premises licence application.

3. Outcomes/outputs

3.1 When determining an application for a premises licence, particularly when considering appropriate conditions and operating hours, the following sections of the Statement of Licensing Policy (the policy) and Section 182 Guidance (the guidance) are especially relevant:

3.2 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave (paragraph 2.18 of the guidance).

3.3 Sections 6.1 & 6.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When the Authority's discretion is engaged, consideration will be given to the individual merits of an application

but the presumption will be to grant the hours requested unless there are objections to those hours raised by Responsible Authorities or other persons on the basis of the licensing objectives. However, when dealing with licensing hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place. There is no presumption within the legislation for longer opening hours.

- 3.4 Section 6.4 of the policy states: The terminal hours will normally be approved where the Applicant can show that the proposal would not adversely affect the licensing objectives unless, after hearing relevant representation the Licensing Authority believe it necessary, proportionate and reasonable to restrict the hours required. The Licensing Authority may set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area.
- 3.5 Paragraph 10.14 of Guidance issued under Section 182 of the Licensing Act 2003 states: where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 3.6 Section 10.1 of the Policy states: The Licensing Authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Access by children to all types of premises will not be limited unless it is considered necessary to do so in order to protect them from harm.
- 3.7 Section 10.2 of the Policy states: When deciding whether or not to limit access to children the Licensing Authority will judge each application on its own individual merits. Examples which may give rise to concern and warrant restrictions in the operating schedule include premises: -
- ❑ where entertainment of an adult or sexual nature is provided
 - ❑ where there is a strong element of gambling taking place
 - ❑ with a known association with drug taking or dealing
 - ❑ where there have been convictions of the current management for serving alcohol to minors
 - ❑ with a reputation for allowing underage drinking
 - ❑ where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises.

3.8 The desired outcome is a determination of the application with reasons provided which relate to the four licensing objectives and when conditions are imposed, that these are appropriate to address the licensing objectives.

4. Options available and consideration of risk

4.1 The Licensing Authority may decide to impose additional conditions to address the four licensing objectives, or to amend or remove requested licensable activities. When coming to their decision the Licensing Sub-Committee must give consideration to the Section 182 Guidance and the Statement of Licensing Policy. Reasons must be given which relate to the licensing objectives for any decision made.

4.2 The Sub-Committee will need to consider the hours of operation proposed, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential properties, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, and the likely impact of any extension of hours and activities, public transport, taxi availability, the right the applicant has to operate a business and balancing the rights of residents to the quiet enjoyment and privacy of family life.

4.3 A decision made by the Licensing Sub-Committee may be appealed by the applicant or any person who has made relevant representations. The right of appeal is to the Magistrates' Court by virtue of Section 181 and Schedule 5 of the Licensing Act 2003. The Magistrates' Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates' Court may make any costs order it thinks fit.

4.4 The Licensing Act 2003 contains a provision which enables a responsible authority or any other person to apply to this Licensing Authority for a review of the premises licence once granted. A hearing follows which enables the Sub-Committee to use the normal powers available, but also to suspend the licence for a period of up to three months or to withdraw it.

5. Proposed Way Forward

5.1 That the Sub-Committee consider the application for a variation to Premises Licence and make a determination in respect of this application, namely to:

- a) grant the application as submitted, subject to any Mandatory Conditions required;
- b) modify the conditions of the licence;
- c) reject the whole or part of the application

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

in line with the licensing objectives contained within the Licensing Act 2003.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Licensing Act 2003 gives Licensing Authorities the responsibility for determining applications submitted under this provision. This is a statutory obligation.</p> <p>As there have been relevant representations in respect of this application which have not been resolved, this hearing must be held. Relevant representations are about the likely effect of the grant of the application on the promotion of the licensing objectives, by responsible authorities or any other person. The Licensing Sub-Committee must disregard any information or evidence not relevant to the licensing objectives.</p> <p>The Licensing Sub-Committee must consider this application in accordance with Section 4 of the Licensing Act 2003, which requires that licensing functions must be carried out with a view to promoting the four licensing objectives. The Licensing Authority must also have regard to its own licensing policy and the Secretary of State's guidance, but may depart from both if it has good reason to do so. Those reasons should be stated.</p> <p>The Act requires (Section 34) that in dealing with an application to vary a premises licence, the sub-committee may take any of the following steps it considers appropriate for the promotion of the licensing objectives:</p> <ul style="list-style-type: none"> (a) to modify the conditions of the licence; (b) to reject the whole or part of the application and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added. <p>The Sub-Committee must give its reasons for its decision to take any of these steps. Similarly, if</p>

		<p>the application is rejected, the Sub-Committee must give its reasons.</p> <p>The applicant or any person who has made relevant representations has the right to appeal a decision made by the Licensing Sub-Committee to the Magistrates' Court by virtue of Section 181 and Schedule 5 of Licensing Act 2003.</p> <p>On appeal, the Magistrates' Court may:</p> <ul style="list-style-type: none"> a) dismiss the appeal; b) substitute for the decision appeal against another decision which could have been made by the Licensing authority; c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.
Financial	N	There are no direct financial implications to the Council from this Report. However, should a decision be challenged this could result in the Council facing an appeal to the Magistrates Court with the risk of costs being awarded against the Council.
Risk	Y	<p>The Licensing Authority must follow strict legislation in accordance with the Licensing Act 2003 and adhere to the statutory instruments contained with the Act.</p> <p>All decisions must be taken in consideration of the four licensing objectives (section 2.3). These objectives are in place to give protection to the public from the potential negative impacts caused by licensed premises.</p> <p>Decisions may be appealed (see financial and legal/governance sections above).</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity		Compliance with the Human Rights Act 1998 – Article 6: right to a fair trial.
Safeguarding		All decisions must take into consideration the 'protection of children from harm' licensing objective.
Community Safety, Crime and Disorder		Section 17 Crime and Disorder Act 1998 applies. Decisions made must relate to the four licensing objectives as detailed in section 2.3 of this report.
Health, Safety and Wellbeing		All decisions must take into consideration the four licensing objectives, including 'public safety' and 'protection of children from harm'.
Other implications		

Supporting Information

Appendices:

Appendix A – variation to premises licence application

Appendix B – current premises licence

Appendix C – copies of representations

Appendix D – location plans

Background Papers:

[under provisions of the Local Government Act 1972]

The Licensing Act 2003

Guidance issued under Section 182 of the Licensing Act 2003

West Devon Borough Council's Statement of Licensing Policy

Responses to Notices of Hearing

Application to vary the premises licence to specify an individual as designated premises supervisor

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	Yes/No

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* required information

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

Your reference 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

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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 Include country code.

Other telephone number

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

* 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.

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Agent Registered Address

Address registered with Companies House.

* Building number or name	<input type="text" value="53"/>
* Street	<input type="text" value="Stoke Newington High Street"/>
District	<input type="text"/>
* City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="N16 8EL"/>
* 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="9"/>
Street	<input type="text" value="West Street"/>
District	<input type="text" value="Okehampton"/>
City or town	<input type="text" value="Devon"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="EX20 1HQ"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

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VARIATION

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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.

Restaurant and Takeaway
Supply of alcohol off the premises

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PROVISION OF PLAYS

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

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

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

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

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

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

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

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

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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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

Continued from previous page...

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

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

Continued from previous page...

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.

N/A

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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

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 12:00

End 01:30

Start

End

SUNDAY

Start 12:00

End 00:30

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.

N/A

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

N/A

- I have enclosed the premises licence
- 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.

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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 BETWEEN HOURS 17:00 TO 02:45

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.

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.

Continued from previous page...

d) The prevention of public nuisance

- 1) THE FRONT OF THE PREMISES SHALL BE KEPT TIDY AT ALL TIMES AND BE SWEEPED 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 AUTHORISED 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 LICENCE, 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 & AUTHORISED 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 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.
- 5) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED COUNCIL OFFICERS ON REQUEST.
- 6) ALL STAFF WHO DOES DELIVERIES WILL BE TRAINED FOR PREVENTION OF UNDERAGE SALES & CHALLENGE 25 POLICY

Section 17 of 17

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 you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Continued from previous page...

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 (£)

190.00

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

The information provided will be held securely by this Council in accordance with current Data Protection legislation. We must protect the public funds that we handle, so we may use the information provided to prevent and detect fraud. We may also share this information with other organisations that handle public funds. Information provided may also be used to check the accuracy of records held elsewhere in the council. See www.westdevon.gov.uk for further information.

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

Yuksel Uyan

* Capacity

Licensing Consultant

* Date

11 / 04 / 2016
dd mm yyyy

Add another signatory

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/west-devon/change-1> to upload this file and continue with your application.

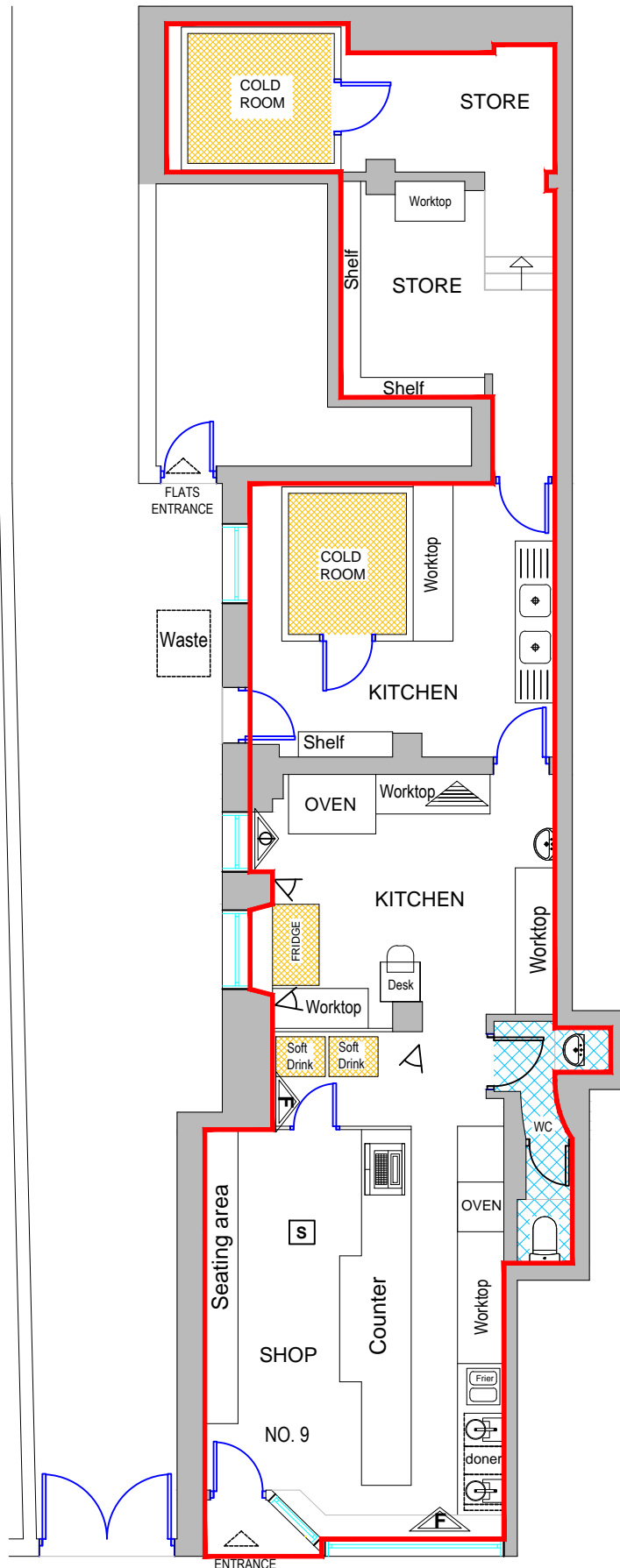
Don't forget to make sure you have all your supporting documentation to hand.

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Dillans Kebab House"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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



LEGEND

- WC AREA
- FRIDGES
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV
- FIRE ESCAPE KEEP CLEAR
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- FOAM FIRE EXTINGUISHER
- FAN

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Only figured dimensions to be taken Any Discrepancies to be reported to Leiberman Architect prior to setting out or ordering of any materials

LEIBERMAN ARCHITECT

Planning & Licensing Specialist
www.narts.org.uk
info@narts.org.uk
 Phone : 020 7241 3636
 Gsm : 07940 414 890

CONTRACT
 9 WEST STREET
 OKEHAMPTON, DEVON
 EX20 1HQ

DRAWING
 Ground
 Floor Plan

SCALE 1:100@A4 DATE 21.01.2016

DRAWN BY KBH TOTAL AREA: 99.00 m2

DRAWING No. 9EX201HQ | H1

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LOCAL AUTHORITY

Licensing Authority
West Devon Borough Council
Borough Council Offices
Kilworthy Park
Drake Road
TAVISTOCK
PL19 0BZ

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Dillan's Kebab House**

9 West Street, Okehampton, Devon, EX20 1HQ.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors & Outdoors)	Monday to Thursday	11:00pm	Midnight
	Friday	11:00pm	1:00am
	Saturday	11:00pm	1:00am
	Sunday	11:00pm	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	Noon	12:30am
Friday	Noon	1:30am
Saturday	Noon	1:30am
Sunday	Noon	12:30am
New Years Eve: 23:00 - 02:00		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Murat Kaya
 muratkayaoke@hotmail.com

Flat 1, 9 West Street, Okehampton, Devon, EX20 1HQ.
 Telephone 01837 546 11

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Premises Licence

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

MANDATORY CONDITIONS WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL (not Club Premises Certificates)

- No supply of alcohol may be made under the Premises Licence - at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or at a time when the Designated Premises Supervisor does not hold a Personal Licence or his/her Personal Licence is suspended.
- Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.

MANDATORY CONDITIONS: EXHIBITION OF FILMS

- Admission of children (under the age of 18) to any exhibition of films must be restricted in accordance with the film classification body designated as the authority under Section 4 of the Video Recordings Act 1984.
- Where the film classification is not specified or the relevant licensing authority has notified the Premises Licence holder under Section 20 (3) (b) of the Licensing Act 2003, the admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

MANDATORY CONDITIONS: DOOR SUPERVISORS

- Any person used to carry out a security activity as required under the Annex 2 conditions must be licensed by the Security Industry Authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

CCTV to be installed and maintained to the satisfaction of the chief officer of police, recorded images to be retained for 31 days and made available to a police officer or local authority licensing officer upon request at any reasonable time.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None.

ANNEX 4 - PLAN OF PREMISES

Please see attached plan/s.

Signed on behalf of the Licensing Authority by:



S Clarke (Miss)
Licensing Manager

Premises Licence Summary**LOCAL AUTHORITY**

Licensing Authority
 West Devon Borough Council
 Borough Council Offices
 Kilworthy Park
 Drake Road
 TAVISTOCK
 PL19 0BZ

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Dillan's Kebab House**

9 West Street, Okehampton, Devon, EX20 1HQ.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors & Outdoors)			
	Monday to Thursday	11:00pm	Midnight
	Friday	11:00pm	1:00am
	Saturday	11:00pm	1:00am
	Sunday	11:00pm	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	Noon	12:30am
Friday	Noon	1:30am
Saturday	Noon	1:30am
Sunday	Noon	12:30am
New Years Eve: 23:00 - 02:00		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE**

Murat Kaya

Flat 1, 9 West Street, Okehampton, Devon, EX20 1HQ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED**

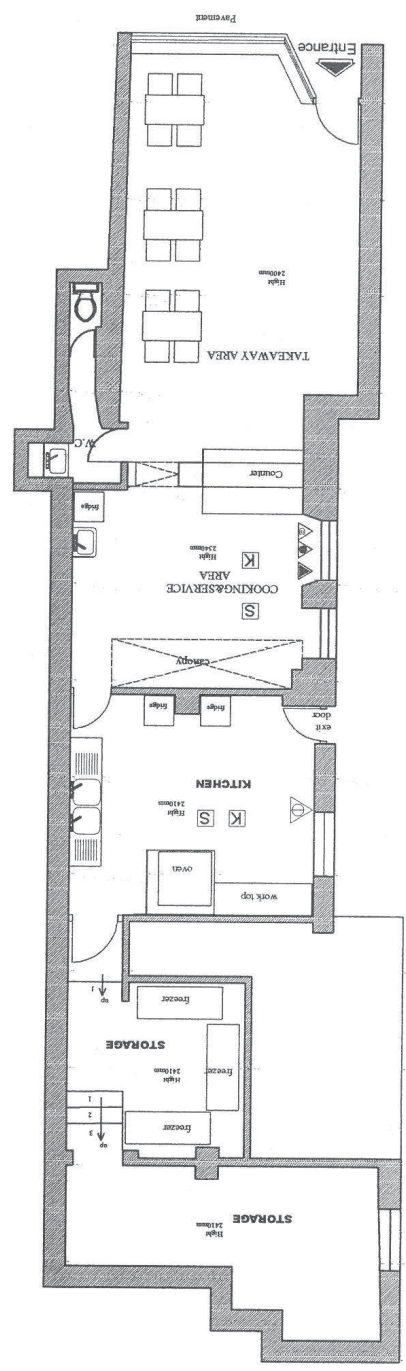
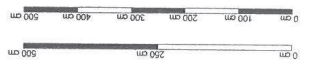
Signed on behalf of the Licensing Authority by:



S Clarke (Miss)

Licensing Manager

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FIRE FIGHTING LEGEND	
	Fire blanket
	Carbon dioxide extinguisher
	Water fire extinguisher
	Foam fire extinguisher
	Area covered by Automatic Smoke Detectors
	Area covered by Automatic Heat Detectors

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Naomi Wopling

From: Barry.SLEIGHT@devonandcornwall.pnn.police.uk
Sent: 05 May 2016 20:02
To: SW-Licensing
Cc: SLOMAN Mark 14089; NORSWORTHY Michael 13671
Subject: Application for a variation to the licence held by Dillans Kebab House Okehampton
Categories: Claire R

Good Evening.

Please take this E Mail as official notification that the Police wish to object to the variation of the licence for Dillans Kebab House Okehampton to sell alcohol by way of off sales.
The licensing Objectives we feel will be compromised are
Crime and Disorder
Protection of Children

Okehampton is a small market town with very limited police resources covering many square miles.
By allowing a late night takeaway the ability to sell alcohol could change the dynamics of the late night economy.
This could lead to fights between drunken customers and staff if and when alcohol is refused.
On fine evenings persons could stay eating and drinking in the street rather than go home.

The applicant has not given suitable conditions to show how he will prevent issues concerning crime and disorder.
The applicant has a similar premises in Plymouth within a cumulative impact zone which means he would be committed in Plymouth at weekends
He has offered CCTV conditions with this variation however a very recent crime at these premises when windows were smashed resulted in the CCTV being lost when a staff member tried to down load. On the same evening a competitors windows were also smashed.
The Police have no confidence that the staff know how to operate the system

The applicant also wished to undertake home deliveries including alcohol. The applicant has not offered conditions that the police consider robust enough to protect against underage sales being made.

I have spoken to the applicants agent and told them of my concerns they were to take instructions from the applicant but to date I have not heard anything,

Should we not be able to mediate I look to expand on the above and also suggest to the committee conditions to be placed on the licence.

At any hearing I would look to the local police inspector attending to give the local police perspective

Regards Barry

Barry Sleight
Teignbridge Licensing Officer
Licensing Department (East), Devon & Cornwall Police HQ, Middlemoor, Exeter, Devon EX2 7HQ
Tel: 01392 452386
Fax: 01392 452447
Mobile: 07736084178
Email: licensingeast@devonandcornwall.pnn.police.uk

Contact Devon & Cornwall Police on 101@devonandcornwall.pnn.police.uk
Textphone 18001 101 for the deaf, hard of hearing or speech impaired

Comments on Dillans Kebab Shop Premises Licence Application

Wednesday, 11 May 2016

Having considered the application by Murat Kaya for a variation to the premises licence for Dillans Kebab Shop I have concerns over whether this application truly supports the licensing objectives. As far as I can tell the applicant is seeking to offer alcohol for sale from the premises and also to offer alcohol as part of a home delivery service, with sales occurring until 01:00 on both Saturday and Sunday mornings.

When considering the application I have considered the application against the four licensing objectives i.e.:

The prevention of crime and disorder

Public Safety

The prevention of public nuisance

The protection of children from harm

The premises is located at the end of a row of shops with flats above, therefore there are residential premises in the immediate vicinity of the licensed premises. The Environmental Health department has not received noise complaints from neighbouring residents as yet.

In relation to the prevention of crime and disorder, I do have concerns over the safety of the delivery driver and whether he will become a target for violence especially as they may be put into situations where they refuse to provide alcohol at a premises if they feel that the purchaser is either too intoxicated, or underage. There does not appear to be any controls in place to adequately safeguard the driver.

As well as the safety aspect of the delivery driver there is the potential that this type of delivery service will attract underage drinkers. The applicant is stating that they will operate a challenge 25 policy, how will they ensure that at point of sale (i.e. telephone ordering) the purchaser is over the age of 18, and there does not appear to have been any thought as to how they will ensure that the delivery driver is not providing alcohol to under age persons.

In relation to public safety and prevention of public nuisance, should the application be successful it would allow easier access to alcohol for the public leaving other premises at closing time in the vicinity. As such the premises is likely to attract more customers than it does currently, however there does not appear to be any consideration of how the applicant will manage the customers in the line awaiting to be served so that there are no arguments or disturbance caused to the nearby residential properties.

At this time I feel that this application should be presented to the Licensing Sub-committee to ensure that they are satisfied that the grant of the application will not undermine the licensing objectives.

James Kershaw

Senior Specialist Environmental Health and Licensing

Commenting on behalf of the Licensing Authority.

Naomi Wopling

From: Cllr Julie Yelland
Sent: 27 April 2016 10:03
To: Naomi Wopling; Cllr Stephens
Subject: Re: Variation to premises licence - Dilans Kebab House, Okehampton

Follow Up Flag: Follow Up
Flag Status: Flagged

Hi Naomi

Further to your e.mail dated 15th April 2016 regarding Dillan's Kebab House, 9 West Street, Okehampton, EX20 1HQ I should like to make a response. Unfortunately the e.mail address licensing@southhams.gov.uk won't work from my ipad so perhaps you would be kind enough to ensure my comments get to the right person.

The current premises licence permits the provision of late night refreshment (presumably non-alcoholic) for only one or two hours. The variation is to include the sale of alcohol for consumption off the premises every day for at least twelve hours.

If the case officer is minded to approve the variation, then I should like to call this into the Licensing Committee on the following grounds:

1. There is already a problem with anti-social behaviour in this area of the town during the evening. Allowing the sale of alcohol will enable this type of behaviour to not only increase, but also extend from lunch time until after midnight. There is minimal police presence in the town during the day time and none in the evening and over night.
2. Businesses operate during normal working hours in this part of the town and those who purchase and drink alcohol outside the Kebab House will create a public nuisance which will, in turn, have a detrimental effect on the economy and well being of the town. The outlet is also close to a residential area and approving this variation will impact on the local residents.
3. The Kebab House is on the main road through the town and there is no parking. There will be a significant risk that people will purchase alcohol and drink in their cars and/or step out into the road in an inebriated condition and cause an accident.
4. The Kebab House offers a home delivery service. I am concerned that this will include the delivery of alcohol to minors. Unaccompanied children frequently use the takeaway aspect, and again, there is a real risk that they will purchase and consume alcohol.

At a recent meeting of Okehampton Town Council, the councillors expressed strong concerns regarding this application as they felt that crime and anti-social behaviour would increase and there would be a risk to public safety and children.

Kind regards

Julie

Clr Julie Yelland
Member for Okehampton South
West Devon Borough Council
E.mail: clr.julie.yelland@westdevon.gov.uk
Tel: 01837 53944

Sent from my Ipad

Naomi Wopling

From: Cllr Stephens
Sent: 27 April 2016 14:31
To: Naomi Wopling
Subject: Re: Variation to premises licence - Dilans Kebab House, Okehampton

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Naomi,

As the other ward member for Okehampton south ward I would also like to express my concern for the application of a licence at the Dilans Kebab shop.

Cllr Yelland has provided the specific planning reasons in her email earlier and I completely agree with these reasons. As Cllr Yelland also mentioned the town council also object to this application for a licence.

Please put this application for a licence to the planning committee for a decision.

Other reasons besides planning reasons for objecting, which I realise can't be taken in to consideration include:

Littering - if people are buying alcohol and then wondering around town drinking with their take away they are likely to drop more litter. Sadly Alcohol does not improve people's behaviour and we already see far to much littering from takeaways as it is.

Setting a precedent- if we allow this licence every single take away in Okehampton will want to apply for a licence to sell alcohol. Even if other takeaways don't want to sell alcohol they will feel like they have to get a licence to stay competitive.

Underage drinking - Having this sort amenity supplying alcohol makes it much easier for underage children/young adults to buy/have it bought for them. In a pub they have control over where alcohol is consumed. In this situation there will be no control.

I hope this is helpful.

All the best

Ben

Cllr Ben Stephens
Councillor for West Devon Borough Council
Devon County Royal British Legion Standard Bearer
Okehampton Town Councillor

Naomi Wopling

From: Cllr Tony Leech
Sent: 16 April 2016 10:24
To: Cllr Graham Parker
Cc: Naomi Wopling; Cllr Mike Davies; Cllr Kevin Ball
Subject: Re: Variation to premises licence - Dilans Kebab House, Okehampton

Follow Up Flag: Follow Up
Flag Status: Flagged

Although this is in the South Ward of Okehampton, I feel that I need to reply to this one.

This is a basic takeaway shop with only a few tables since they made alterations to the shop a few years ago. I think that the sale of alcohol would not be advisable, as there have been a few issues at this property, and having alcohol available late at night would only fuel some of the local feuds that we have within the takeaway businesses here in Okehampton.

We also have a prohibition on the drinking of alcohol in and around the streets of Okehampton, and any further take away sales will only make it harder for the Police to enforce this.

Regards

TL

Sent from my iPad

Naomi Wopling

From: Paul Snell <townclerk@okehampton.gov.uk>
Sent: 27 April 2016 16:15
To: SW-Licensing
Cc: Naomi Wopling
Subject: RE: Variation to premises licence - Dilans Kebab House, Okehampton

Okehampton Town Council, having considered this application on Monday, wish to make representation and object to the requested variation on the following grounds:

- Prevention of crime and disorder. The further proliferation of sites offering off-licence trading is adding to the high risk of alcohol abuse in the town, particularly after regular closing-times at licensed premises. It is understood there are a number of logged entries of public disturbance at this end of the town, which the Police have been called to attend. Recent instances of broken windows in this area exemplify the existing risk, which will be amplified by the granting of off-licence facilities and extending significantly the trading hours of these facilities.
- The prevention of public nuisance. The effect of disturbance of the peace through circumstances referred to above will present a significant public nuisance to the residents both in the immediate and neighbouring areas.
- Public Safety. Alcohol abuse and disturbance of the peace in this area, as logged incident reports will substantiate, have immediate and negative implications for public safety.
- The protection of children from harm. The immediate area is part-residential, with further significant residential estates within 150 metres. The risk presented by the application therefore presents an immediate risk to children.

Regards,

Paul R Snell
Town Clerk

Okehampton Town Council

E: townclerk@okehampton.gov.uk
T: 01837 53179

Naomi Wopling

From: Okehampton Hamlets <mail@okehamptonhamlets-pc.gov.uk>
Sent: 06 May 2016 08:41
To: Naomi Wopling
Subject: RE: Variation to premises licence - Dilans Kebab House, Okehampton

Naomi

Councillors would like to object to the proposal below for the following reasons -

Consumption of alcohol off the premises should not be encouraged as it could become a nuisance and safety issue to the public and encourage crime in the area.

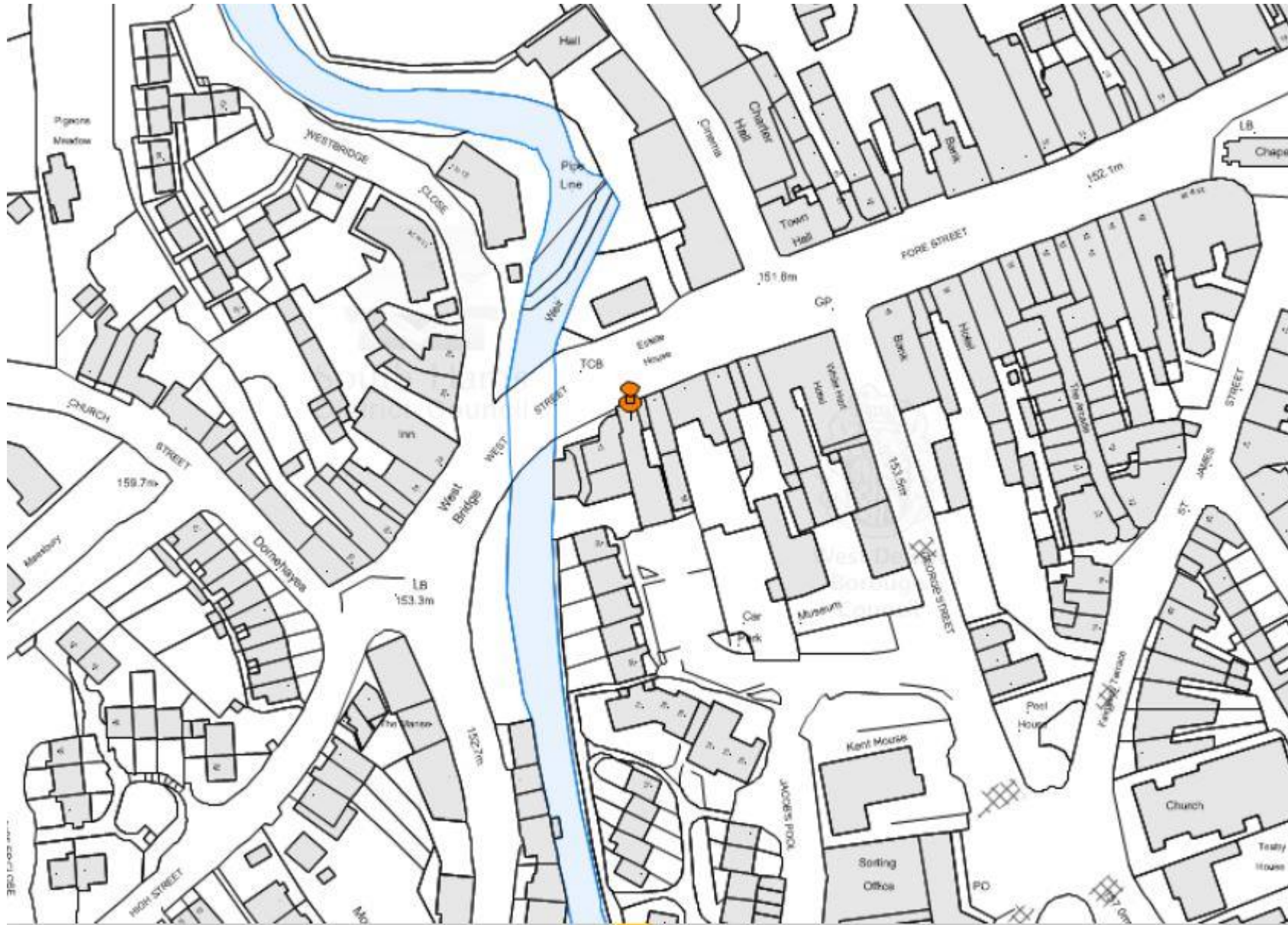
There are already sufficient outlets for the sale of alcohol within licensed premises.

Jane Gillard
Clerk
Okehampton Hamlets Parish Council
01837 55728

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Dillan's Kebab House – location plans



Dillan's Kebab House – location plans

