

**NOTICE OF HEARING
BY THE LICENSING SUB-COMMITTEE
under the
LICENSING ACT 2003**

**APPLICATION FOR A NEW PREMISES LICENCE – TOTTON GRILL,
COMMERCIAL ROAD, TOTTON**

Date and Time: TUESDAY, 29 AUGUST 2017, AT 10.30 AM

Place: COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
023 8028 5588 - ask for Melanie Stephens
E-mail: melanie.stephens@nfdc.gov.uk

These papers are also available on audio tape, in Braille, large print and digital format

1. REPORT (Pages 1 - 26)

THE RELEVANT PAPERS ARE ATTACHED

A large scale map of the premises will be available at the hearing

To: Members of the Sub-Committee:

Cllr S Clarke
Cllr Ms C Ford

Cllr N Tungate

Parties to the Hearing:

Mr I Yurt - Applicant
Hampshire Constabulary – Objector

Copies for Information:

Cllrs Ms Cerasoli & Lucas - Local Members
Totton & Eling Town Council
Licensing – Mrs C Ferguson & Mrs J McClay
Legal Services - Miss G O'Rourke/A Kinghorn

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LICENSING SUB-COMMITTEE – 29 AUGUST 2017

APPLICATION FOR A NEW PREMISES LICENCE – TOTTON GRILL, COMMERCIAL ROAD, TOTTON

1. INTRODUCTION

- 1.1 The purpose of this hearing is to determine an application for a premises licence to be granted under section 17 of the Licensing Act 2003. Those premises being Totton Grill, 52 Commercial Road, Totton.

2. BACKGROUND INFORMATION

- 2.1 The premise is situated on the ground floor of a commercial property in the centre of Totton. A location plan of the premises is attached in **Appendix 1**. It currently operates as a food business.
- 2.2 The premise has two fixed benches for customers to consume food on the premises and a takeaway facility.

3. THE APPLICATION

- 3.1 On 5 July 2017 New Forest District Council received an application from Mr Ismail Yurt for a Premises Licence for Totton Grill. The application is attached as **Appendix 2**.
- 3.2 The application seeks permission to provide hot food after 23:00 hours for consumption on and off the premises. Any premises providing hot food and/or drink after 23:00 hours must be licensed under the Licensing Act 2003.
- 3.3 The application seeks to provide hot food during the following days and times;
- Monday to Saturday 23:00 to 01:00 hours
Sunday 23:00 to 00:00 hours
- The proposed opening times of the premises are;
- Monday to Saturday 12:00 to 01:00 hours
Sunday 14:00 to 00:00 hours
- 3.4 The application has been correctly advertised as per the requirements of the Licensing Act 2003 with a public notice being posted on the premises and a notice being published in the local newspaper.
- 3.5 During the 28 day representation period the Licensing Authority received a representation from Hampshire Constabulary as a responsible authority. This is attached as **Appendix 3**. There were no other representations received from any other interested party.

4. REQUIREMENTS FOR A HEARING

- 4.1 The Licensing Authority must hold a hearing to determine the application where relevant representations addressing the licensing objectives are made. These being:

- 1) The prevention of Crime and Disorder;
 - 2) Public safety;
 - 3) The prevention of public nuisance;
 - 4) The protection of children from harm.
- 4.2 The Licensing Authority will refer to guidance issued by the Home Office under section 182 of the Licensing Act 2003 regarding the licensing objectives.
- 4.3 In determining the application the Licensing Sub-Committee must give appropriate weight to:
- 1) The steps that are appropriate to promote the licensing objectives;
 - 2) The relevant representations presented by all the parties;
 - 3) The Home Office guidance;
 - 4) The Council's own Statement of Licensing Policy.

5. REPRESENTATIONS RECEIVED

- 5.1 Hampshire Constabulary has, during the representation period, attempted make contact with the Applicant to discuss the conditions they wish to be added to the premises licence but have been unsuccessful in making contact with the applicant either by phone or email.
- 5.2 Hampshire Constabulary's representation attached in **Appendix 3** outlines concerns relating to the management of the premises and how the operators intend to control customers on the premises in the early hours of the morning, with particular regard to those customers who may be inebriated and/or at risk of creating a public nuisance.
- 5.3 Hampshire Constabulary's objection relates to three of the licensing objectives, namely: the prevention of crime and disorder, public safety and the prevention of public nuisance.

6. CHANGES TO THE APPLICATION

- 6.1 Conditions have been offered by the applicant to be attached to the premises licence should the licence be granted. These are set out in the operating schedule within the application form, in **Appendix 2**.
- 6.2 Hampshire Constabulary have raised concerns that the application (and the steps offered by the applicant in the operating schedule) does not provide sufficient control measures to ensure that the licensing objectives are maintained. As such Hampshire Constabulary have requested that the conditions as set out on page 4 & 6 of their representation be attached to the premises licence.
- 6.3 The Council's Licensing Officer has not been successful in contacting the applicant as indicated in **Appendix 4** to determine whether the proposed conditions are acceptable to the applicant for inclusion on the premises licence.

7. LEGAL IMPLICATIONS

- 7.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

- 7.2 The Applicant and Responsible Authority who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.
- 7.3 The Applicant and those who have made relevant representations are entitled to address the Sub Committee and to ask questions of the other party, with the consent of the Sub Committee.

8. RIGHT OF APPEAL

- 8.1 It should be noted that the applicant and those who have made relevant representations may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.
- 8.2 In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision made by the Magistrates Court.
- 8.3 A Responsible Authority or any person may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by a person other than a Responsible Authority will not normally be granted within the first 12 months except for the most compelling circumstances.

9. CONCLUSION

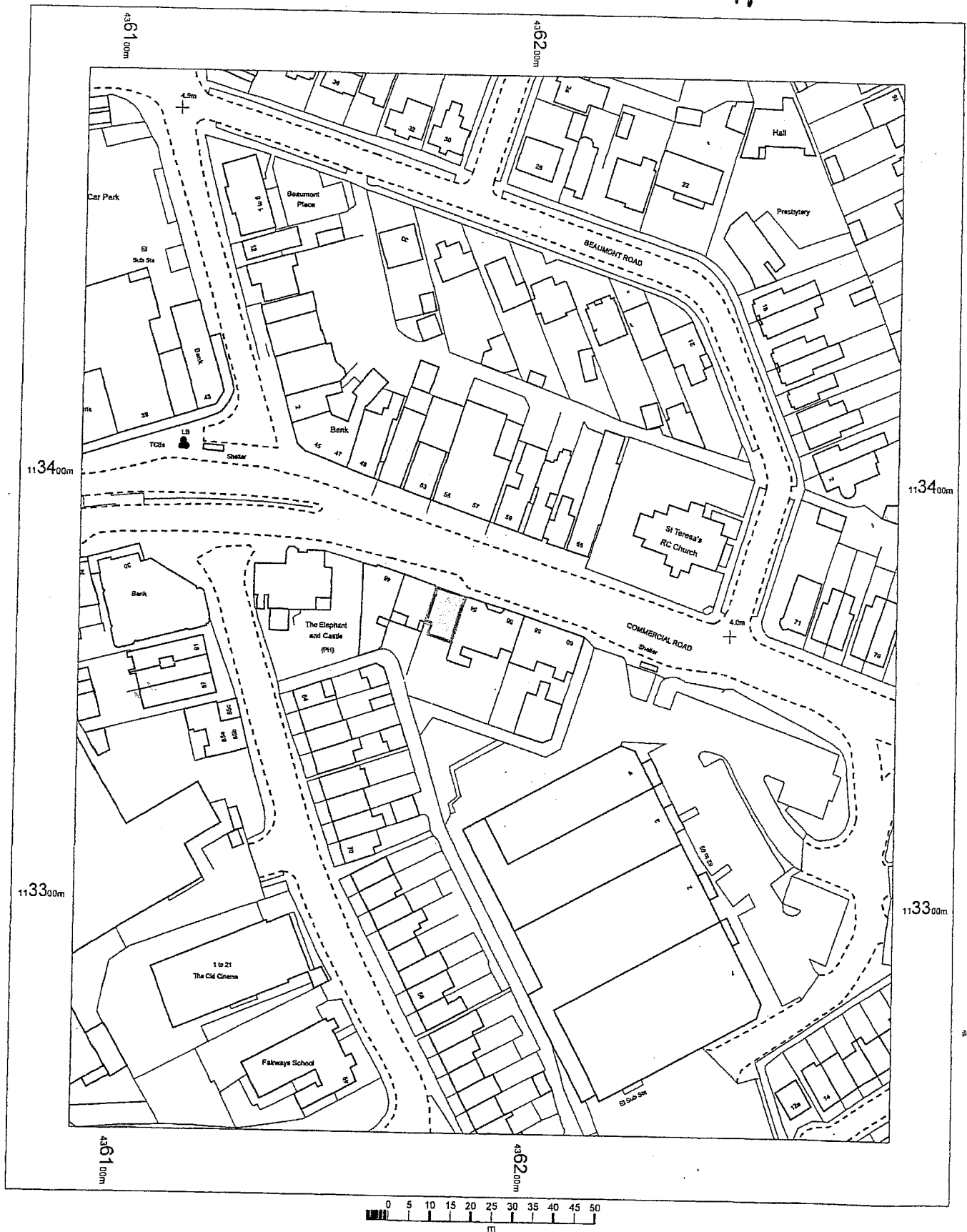
- 9.1 The Licensing Sub-Committee must, having regard to the application and any relevant representations, consider which of the following measures are appropriate for the promotion of the licensing objectives:
- 1) Grant the Licence – as applied for in the application;
 - 2) Grant the Licence - but modify the conditions with the addition of the conditions requested by the police; or
 - 3) Reject the application.

10. RECOMMENDATION

- 10.1 That the Licensing Sub-Committee determines the application.

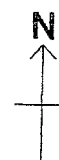
Further Information:

Christa Ferguson
Licensing Manager
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk



Totton Grill
52 Commercial Road, Totton,
SO40 3AG

OS MasterMap 1250/2500/10000 scale
27 June 2017, ID: HMC-00635143
www.themapcentre.com
1:1250 scale print at A4, Centre: 436192 E, 113371 N
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MAIL BOXES ETC.

LICPR 17/04033

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

Sharba

By: ISMAIL YURT

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
TOTTEN GRILL (Ground Floor) 52 COMMERCIAL RD			
Post town	TOTTEN	Postcode	SO403AG
Telephone number at premises (if any)		02381 782770	
Non-domestic rateable value of premises		£ 8000.00	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * ☒ please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership ☐ please complete section (B)
- ii as a partnership (other than limited liability) ☐ please complete section (B)
- iii as an unincorporated association or ☐ please complete section (B)
- iv other (for example a statutory corporation) ☐ please complete section (B)
- c) a recognised club ☐ please complete section (B)
- d) a charity ☐ please complete section (B)

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

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

Please tick yes

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname YURT			First names ISMAIL		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		11A MILLBRIDGE GARDENS STOWING			
Post town		SOUTHAMPTON		Postcode SO19 8TF	
Daytime contact telephone number			02381 225502		
E-mail address (optional)		ingulizosa@hotmail.co.uk			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

ASAP

DD	MM	YYYY

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

DD	MM	YYYY

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

HOT FOOD TAKEAWAY SPECIALISING IN
TURKISH KEBABS

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input checked="" type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) IT IS MY ATENTION TO SUPPLY HOT FOOD BEYOND 23.00 FOR CONSUMPTION BOTI+ ON AND OFF THE PREMISES (TAKE AWAY)	
Mon	23.00	01.00		
Tue	23.00	01.00		
Wed	23.00	01.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	23.00	01.00		
Fri	23.00	01.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)	
Sat	23.00	01.00		
Sun	23.00	00.00		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Mon	12.00	01.00	
Tue	12.00	01.00	
Wed	12.00	01.00	
Thur	12.00	01.00	
Fri	12.00	01.00	
Sat	12.00	01.00	
Sun	14.00	00.00	

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

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

See attached

SEE ATTACHED

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Continued from previous page...

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

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ no drunk and disorderly behaviour on the premises area
- b/ vigilance in preventing the use and sale of illegal drugs at the retail area
- c/ no violent and anti-social behaviour
- d/ no any harm to children

- CCTV system installed with recording option available

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to

Continued from previous page...

prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises.
Customers will not be admitted to premises served apart from hours showing on schedule.

The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of

noise produced by the premises.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

We are requesting a late night refreshment licencing to sell hot food after 23:00. We will discourage uncommon eyed young persons from coming into our premises after 23:00. We are mindful of the dangers posed to young persons and we will always be aware as to how our customers behave and have CCTV to support that.

e) The protection of children from harm

We are requesting a late night refreshment licence for the sale of hot food after 11PM. We will discourage young persons from coming into our restaurant after 11PM. We are aware of the dangers young persons face during late hours. Further we will try to ensure our customers behave themselves and our police service should they misbehave and contact police immediately. This is supported by extensive CCTV coverage which covers the inside and outside of the premises.

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Checklist:

Please tick to indicate agreement

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

<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	NA
<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	22 / MAY / 2017
Capacity	PROPRIETOR / OWNER

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

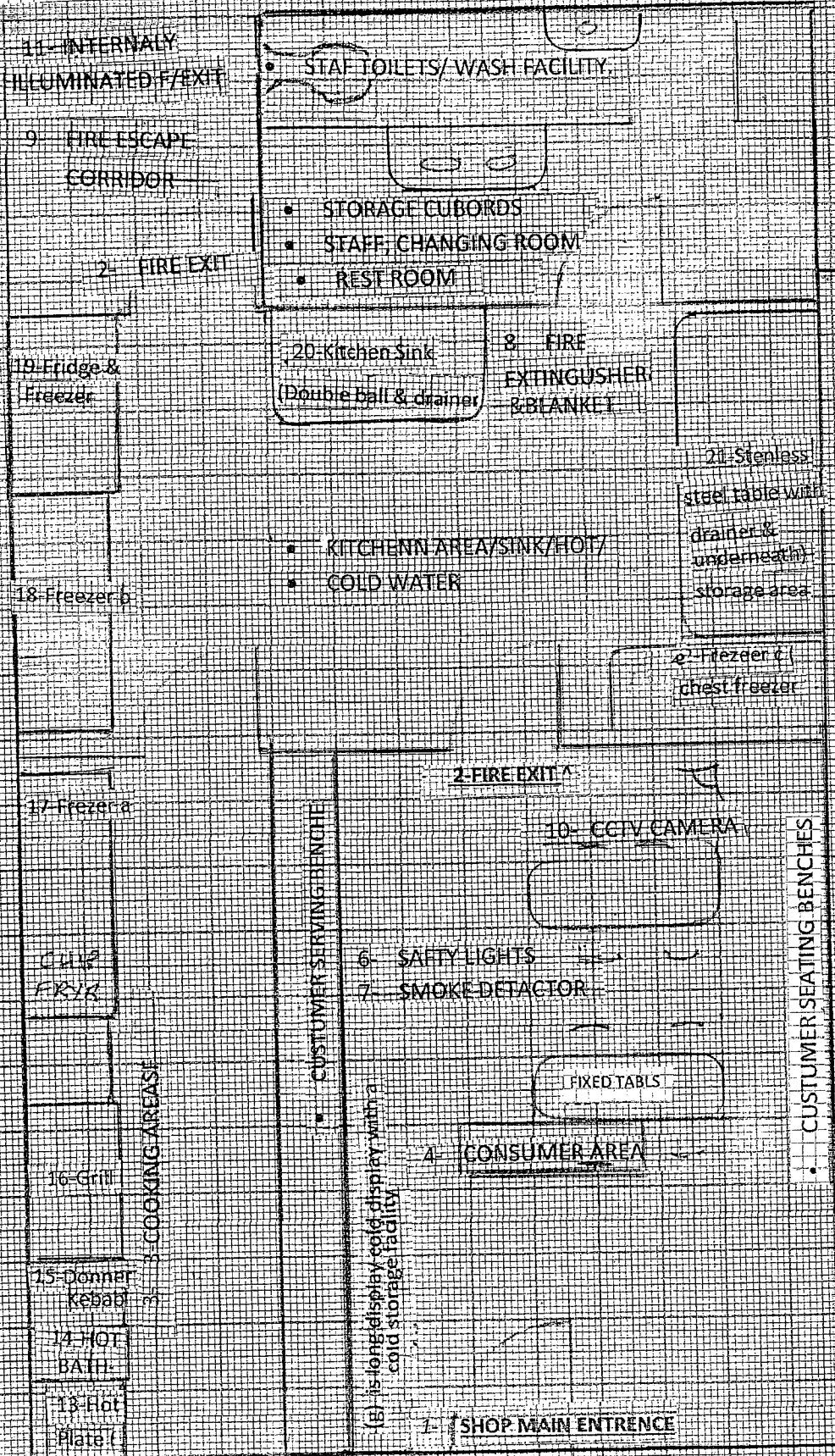
Notes for Guidance

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

Totton Grill 52-Commercial road
 TOTTON SO40 3AG
 PROPOSED GROUND
 FLOOR PLAN SCALE:1/100
 DATE: 29/06/2017

100CM



5- AMBIT OF THE PREMISES



1- SHOP MAIN ENTRANCE

12- UPPER
 FLAT ENTRANCE

LEDEND

- 1- **SHOP MAIN ENTRENCE** (this is the right hand door at the front of the premises). 
- 2- **2-FIRE EXIT** ^ -(leading to the escape root at the back yard of the premises to the fire assembly point at the back of the Premises) 
- 3- **3-COOKING ARE** (cooking areas is located on the left hand side in the front of the premises) it accommodate the following cooking facility as marked. (a) Electric Hot plate 650 mm wide (b) 450mmX700mm deep hot water bath (c) 500mm Rotisserie e- Kebab machine (d) 1200mm wide grill (c) 600x600 mm Chips fryer, (d) is a chest freezer 1600mm long.
(e) is the area where the serving staff which is minimum width of 1200mm. (f) is the table accommodating the serving till ordering processing monitor. (g) is long display cold display with a cold storage facility (g) is the serving counter which is 500mm wide and runs wall to wall the length oof the customer service area as marked.

4-CONSUMER AREA: CUSTOMER SEATING BENCHES (WITH FIXED TABLS SEETING ON BOTH SIDES OF THE CUSTOMER TABLES - SETTING FACILITY FOR EIGHT CUSTOMERS).

5-AMBIT OF THE PREMISES

6-SAFETY LIGHTS & SMOK DETECTOR: Safety lights and smoke detectors are located on the ceiling of the Kitchen & cooking area.

7-FIRE FIGHTING EQUIPMENT- A FIRE BLANKET IS LOCATED BY THE EXIT DOOR OF THE COOKING AREA (A CARBON DIOXIDE + WATER) FIRE EXTINGUISHERS ARE LOCATED IN THE BAK OF THE KITCHEN (Regular service and certified)

8-FIRE ESCAPE – This is located at the back of end of the Kitchen (preparation area) leading to the fully open corridor leading to the fire assembly point -with clear signed fire assembly location is located at the back of the premises.

10-CCTV CAMERA-(total 4 cameras, INSIDE OF -THE PREMISES AND ONE AT THE FRONT AND ANOTHER AT THE BACK OF THE PREMISES THE FIRST CAMERA IS located inside the customer serving area one to cover the main entrance & one to cover the fire escape.

11- FIRE ESCAPE SIGNE-INTERNALLY clearly marked FIRE ESCAPE SIGNES (LEADING TO FIRE ESCAPE CORIDOR AND TO THE REAR FIR EXIT DOOR)

12-UPPER PREMISES ENTRANCE – (MARKED AS- FLAT UPSTAIRS-)

13-Hot Plate (60mmX65mm).

14-HOT Water BATH-(650mmx600mm keep fresh cut donner warm for serving)

15-Donner Kebab Rotary. (Gas fired 500 mm widex700mm deep)

16-Grill (Gas Charcoal Grill1200mm wideX900mm deep)

17-Frezer a (serving chest freezer)

18-Freezer b (kitchen chest freezer 1700mmX760mm)

19-Fridge & Freezer (Upright- 1320mmX820mm)

20-Kitchen Sink (Double ball & drainer sink with hot & cold water supply 220mmX75mm)

21-Stenless steel table with drainer & storage area underneath)

22-Frezeer c (a chest freezer 1600 long x700mm wide)

23-Customer table 1- 800mm. long x500mm deep seating 4 sitting customers

24-Customer table 2- 800mm long x 500mm deep setting 4 sitting customers.

OTHER AREAS ARE AS MARKETT ON THE DRAWING

- -KITCHEN AREA *approximately (2350mm x 6300mm)
 - Staff Changing room & storage area 1560mmx 4500 mm (fire door one double sink)
 - Staff Toilets 870mmx4500mm exclusively for members of staff use only
- Has a small wash basin with hot & cold water, soap& Paper dispenser also has please wash your hands notice.

BACK OF THE KITCHEN AS MARKED: ONE-DOUBLE DRAINER SINK PROVIDING HOT & COLD WATER.

- CUSTOMER SERVING BENCHES (two; fixed tables & 8 Chairs each table,500mmx800 mm) seating area- the area is approximately 6300mm long & 500 deep)

(TABLS under runs for approximately 1600mm. accommodating order processing terminal+ cash machine)

Totton Grill

52 Commercial Road, Totton, SO40 3AG

PROPOSED GROUND

FLOOR PLAN SCALE 1:100



Governance & Regulation

Executive Head: Grainne O'Rourke

Police Authority
Police Licensing Team (Western Area)
Southampton Police Station
Southampton City Council
Civic Centre, Southampton
SO14 7LY

Our Ref: PW/LICPR/17/04033/SW

Your Ref:

02 August 2017

Dear Sir/Madam

Representation from Police Authority

**Premises Address: TOTTON GRILL, (GROUND FLOOR), 52 COMMERCIAL ROAD,
TOTTON, SOUTHAMPTON, SO40 3AG**

This letter is to confirm receipt of your written representation against the application for a grant of a Premises Licence named above.

In those cases where representations are made against such variations and which are not subsequently withdrawn, a Licensing Panel Hearing will be arranged to hear the application and the objections, before making a decision.

Once the date of the hearing is set you will be informed of the arrangements. Details of the conduct of the hearing will also be included. At the hearing you will have the opportunity to explain your concerns to the Panel.

In the meantime, should conditions change so that you have cause to withdraw your representation, I should be grateful if you would advise the Council accordingly.

Yours faithfully

Paul Weston

Licensing Officer
Licensing Services

Tel: 023 8028 5505

Email: licensing@nfdc.gov.uk

**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:

<input type="checkbox"/> 1: Grant for a personal licence	(Object within 14 days)
<input type="checkbox"/> 2: Grant for a temporary event notice (TEN)	(Object within 3 days)
<input type="checkbox"/> 3: Transfer of a premises licence	(Object within 14 days)
<input type="checkbox"/> 4: Variation of designated premises supervisor	(Object within 14 days)
<input checked="" type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate	(Object within 28 days)
<input type="checkbox"/> 6: Minor variations	(Object within 10 working days)

Name of Applicant:	Ismail YURT
Name of Proposed DPS:	

Details of relevant conviction (Personal Licence Applications ONLY)

Postal address of premises:	Totton Grill 52 Commercial Road Totton Hampshire
Postcode:	SO403AG

Details of responsible authority applicant

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	PC
Surname: CONWAY	First Names: SHARON
Current postal address :	Southampton Neighbourhood Police Office Southampton Civic Centre Southampton Hampshire
Postcode:	SO147LY
Daytime telephone number:	0280478373
E-mail address: (optional)	licensing@hampshire.pnn.police.uk

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

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

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

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☒

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*Please select
one or more
boxes*

Please state the ground(s) for representation:

On behalf of the Chief Officer of Police, I am making representations with respect to the premises licence application for Totton Grill, 52 Commercial Road, Southampton.

The application requests late night refreshment from 2300hrs to 0100hrs each day, for consumption both on and off the premises.

The operating schedule outlines a number of steps which the applicant wishes to undertake. However, these steps are generic and do not provide specific information as to how the steps will be implemented.

For example, how will drunk or disorderly behaviour be prevented when the operating hours are aimed at attracting customers from other licensed premises serving alcohol? What 'strong management controls' are in place?

Police would suggest that appropriately trained staff, such as SIA registered door supervisors, are in place to conduct the duties outlined in the application, particularly on a Friday and Saturday night.

The application states that 'CCTV system will be installed with recording option available'. With the increase in hours, and the increase in risk of crime such as assaults, a 'recording option' is not sufficient to promote the licensing objectives.

Section 10 of Revised Guidance issued under S182 Licensing Act 2003 issued in April 2017 outlines how conditions can be added to the premises licence.

The Guidance states that 'a condition should be interpreted in accordance with the applicant's intention'. The Guidance goes further to say that conditions 'should be expressed.... in unequivocal and unambiguous terms.'

With such a general and contradictory application, Hampshire Constabulary have attempted to make contact with the applicant in order that any conditions applied to the premises licence are clear to the licence holder, enforcement officers and the courts.

Unfortunately, there has been no reply to communication via email, and no reply to the phone number provided, or other contact details on police records. A visit was made to the premises on Friday 28th July 2017. The staff member present advised that Mr Yurt was not at the premises, and that he was on holiday for a number of weeks.

Hampshire Constabulary are requesting clear, specific conditions to be attached to the premises licence, should one be granted. Providing late night refreshment past 2300hrs

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increases the risk of alcohol related crime and disorder and public nuisance. Customers from other licensed premises, who currently disperse from Totton town centre will be attracted to remain in the area longer. This increases the risk of confrontation, crime and public nuisance.

It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation

Police recommendations (including any conditions)

Hampshire Constabulary would recommend clear, specific conditions to be applied to the premises licence.

CCTV

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be provided in a format that can be viewed on readily available equipment without the need for specialist software.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

Incident Book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the

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public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

Public Nuisance

All food sold for consumption away from the premises shall be provided in packaging which clearly identifies the food as having been sold at the premises.

The holder of the licence shall ensure that a member of staff clears litters twice each day to at least 100 metres from the premises.

Signs will be clearly displayed requesting customers to disperse quietly and in an orderly manner.

Any customers congregating or loitering outside the premises will be politely asked to depart quickly and quietly.

SIA staffing

A minimum of one member of SIA registered door supervisor will be on duty at the premises from 2300hrs until closing, on a Friday and Saturday. This member of staff shall be expected to assist the dispersal of customers quietly and orderly, and shall remain until all customers have dispersed from the immediate area of the premises.

SIA registered door supervisors will wear highly visible fluorescent upper clothing and will patrol the perimeters front and back of the premises for at least 15 minutes after the premises has finished trading, or until customers have left the immediate vicinity of the premises.

On all other occasions, staff who are on duty beyond 23:00hrs will be given appropriate instructions and training to encourage customers to leave the premises quietly and not loiter in the vicinity of the premises.

Signature of Officer Completing

Name Sharon Conway

Collar Number: 22237

Signature: S Conway

Date: 02/08/17

Signature of Authorising Officer

Name M Moss

Collar Number: 3554

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Signature: M Moss Date: 02/08/17

Sarah Wilson

From: Sarah Wilson
Sent: 08 August 2017 10:55
To: 'ingiliziso@hotmail.co.uk'
Cc: Melanie Stephens; Christa Ferguson
Subject: FW: URGENT - Totton Grill

Importance: High

Good morning Mr Yurt

You have recently applied for a premises licence (for late night refreshment) which has been in consultation.

The last day for representations was the 2nd August 2017.

During this consultation period the Police recommended some conditions they would like to put on your licence. However, as you have not responded to this request by the Police, in that you are happy for these conditions to be put on your licence, they have lodged an objection to your application.

In order to resolve this matter, you will either need to agree in writing to the conditions being added to your licence or a hearing will need to take place in front of a Licensing Sub-Committee to decide your application.

As a result of this matter, please could you contact Licensing Services as a matter of **urgency**, either by return email or phone call, in the hope of resolving this matter for you.

Kind regards,

Sarah Wilson
Licensing Services
Environmental Health
New Forest District Council
Tel: **023 8028 5505**
Email licensing@nfdc.gov.uk
newforest.gov.uk



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