



Democratic Support

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www.plymouth.gov.uk/democracy
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#plymlicensing

Licensing Sub Committee

Tuesday 24 August 2021
10.00 am
Council House

Members:

Councillors Jordan, Rennie and Wakeham.

Fourth Member:

Councillor Hendy.

Members are invited to attend the above meeting to consider the items of business overleaf.

Please note that, due to the nature of this Committee, we may need to send 'to follow' documents which were not expected at the time of the agenda publication. These documents may be considered under part I or part II.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - <http://www.plymouth.gov.uk/accesstomeetings>

Tracey Lee

Chief Executive

Licensing Sub Committee

AGENDA

1. Appointment of Chair and Vice-Chair

The Committee will appoint a Chair and Vice-Chair for this particular meeting.

2. Apologies

To receive apologies for non-attendance submitted by Committee Members.

3. Declarations of Interest

Members will be asked to make any declarations of interest in respect of items on this agenda.

4. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. Grant of Premises Licence - Burgers R Us, Sherwell Arcade, (Pages 1 - 28) North Hill, Plymouth, PL4 8LH

The Director of Public Health will submit a report in relation to the grant of a premises licence for Burgers R Us, Sherwell Arcade, North Hill, Plymouth, PL4 8LH.

6. Grant of Premises Licence - Uniburgerman, Outside The (Pages 29 - 68) Roundabout Public House, Tavistock Place, PL4 8AT

The Director for Public Health will submit a report on the grant of a premise licence for Uniburgerman, outside the Roundabout Public House, Tavistock Place, PL4 8AT.

7. EXEMPT BUSINESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II - PRIVATE MEETING

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

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PREMISES LICENCE GRANT REPORT

Licensing Sub Committee



Date:	24 August 2021
Title of Report:	Grant of Premises Licence – Burgers R Us, Sherwell Arcade, North Hill, Plymouth. PL4 8LH
Lead Member:	Councillor John Riley (Cabinet Member for Customer Focus and Community Safety)
Lead Strategic Director:	Dr Ruth Harrell (Office of the Director of Public Health)
Author:	Catherine Macdonald (Enforcement Officer)
Contact Email:	Licensing@plymouth.gov.uk
Your Reference:	Burgers R Us
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of the report:

An application has been received from Mehmet Kilinc in respect of Burgers R Us, Sherwell Arcade, North Hill, Plymouth. PL4 8LH for the Grant of a premises licence under Section 17 of the Licensing Act 2003.

Recommendations and Reasons:

That Members consider this report.

Alternative options considered and rejected:

None.

Relevance to the Corporate Plan and/or the Plymouth Plan:

Our Plan – A City to be proud of.

This report links to the delivery of the City and Council objectives and outcomes within the plan.

A Growing City: The Licensing Policy and system aims to provide a balance between the need to protect residents and to enable legitimate businesses to operate within a necessary and proportionate regulatory framework. This in turn makes a safer, more vibrant Plymouth to allow economic growth and opportunities for increased levels of employment.

A Caring Council: The Licensing Policy has put in place an appropriate framework to allow the effective control of alcohol supply and regulated entertainment to keep all members of society protected and feeling safe by focusing on prevention and early intervention. The licensing system minimise the burdens on business and to allow communities the opportunity to influence decisions.

See [Our Plan](#)

Implications for Medium Term Financial Plan and Resource Implications:

Not applicable

Carbon Footprint (Environmental) Implications:

None

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Published work / information:

For more information please see the below links.

[Statement of Licensing Policy](#)

[Licensing Act 2003](#)

[Revised guidance issued under section 182 of the Licensing Act 2003 - April 2018](#)

Appendices

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable)						
		1	2	3	4	5	6	7
A	Briefing report (mandatory)							

Background papers:

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of background paper(s)	Exemption Paragraph Number (if applicable)						
	1	2	3	4	5	6	7
Application							

Sign off:

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Originating Senior Leadership Team member: [Click here to enter text.](#)

Please confirm the Strategic Director(s) has agreed the report? [Choose](#)

Date agreed: [Date.](#)

Cabinet Member signature of approval: [electronic signature (or typed name and statement of 'approved by email') on Cabinet member approval only]

Date: [Date.](#)

1.0 INTRODUCTION

1.1.1 On the 21st May 2021 the licensing department received an application from Mehmet Kilinc for the Grant of a Premises Licence under Section 17 of the Licensing Act 2003 in respect of Burgers R Us situated at Sherwell Arcade, North Hill, Plymouth. PL4 8LH.

1.2 Grant application.

The applicant wants to upgrade the mobile catering van, which is already licensed under premises Licence Number PNA0065 and currently located at Sherwell Arcade, North Hill, PL4 8LH, with a new fixed kiosk design that can be open 24hours a day. They have advised the following:- I strongly believe upgrading my business with the latest Kiosk design will help my business grow better and also benefits the environment. We will be providing the same usual night refreshment; hot/cold food and drink (no alcohol). The premise will not have any sitting area, therefore food will be only available as take away. The layout expected to be between 16ft by 13ft (please see kiosk model supporting documents we want to buy)

1.3 Licensable Activities.

The following licensable activities and timings have been requested:

(i) Late Night Refreshment (Outdoors)
--

_Hours

Monday – Sunday 23:00 to 05:00

1.4 The applicant has submitted an Operating Schedule (Appendix 1).

1.5 Photograph and drawing of proposed vehicle supplied by applicant. (Appendix 2 & 3).

1.6 Site location of vehicle supplied by applicant (Appendix 4).

1.7 Copy of existing licence already in place for a mobile catering van at the same location (Appendix5)

1.8 Representations have been received in respect of this application.

1.9 Cumulative Impact Policy

This application does fall within an area to which the Cumulative Impact Policy applies and creates a rebuttable presumption that applications for new licences or variations to existing ones which are likely to add to the existing cumulative impact will normally be refused unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives if the application were granted. However before the Licensing Authority can lawfully consider giving effect to this policy there must be a relevant representation from either a responsible authority or an interested party referring to information which was before the Licensing Authority when this special policy was developed.

2.0 RESPONSIBLE AUTHORITIES

- 2.1 *Devon & Cornwall Police* – no representation was received as the Police agreed conditions with the applicant. The agreed conditions are at Appendix 6.
- 2.2 *Environmental Health* – no representation was received as Environmental Health agreed conditions with the applicant. The agreed conditions are at Appendix 7
- 2.3 *Devon & Somerset Fire & Rescue Service* – no representations.
- 2.4 *Trading Standards* – no representations
- 2.5 *Planning Officer* - no representations.
- 2.6 *Child Protection* – no representations
- 2.7 *Health & Safety Executive* – no representations.
- 2.8 *Health Authority (ODPH)* – no representations.
- 2.9 *Licensing Authority* – no representations.

3.0 OTHER PARTIES

10 letters have been received that are attached to this report marked appendix 8 to 17.

4.0 CONSIDERATIONS

- 4.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm.

In making its decision the Committee is also obliged to have regard to:

- the guidance issued under section 182 of the Licensing Act 2003 with the following paragraphs relevant to this application: 1.2 – 1.5, 1.16 – 1.17, 2.1, 2.3, 2.7 – 2.8, 2.10, 2.15 – 2.19, 2.21 – 2.21, 3.21, 3.34, 8.13 – 8.14, 9.3, 9.11, 9.37 – 9.40, 9.42 – 9.44 and 10.8 - 10.10, 14.21 – 14.24, 14.28, 14.44 – 14.45 the Council's own Licensing Policy with the following headed paragraphs being relevant to this application: Dispersal Policy (Page 12); Licensing Hours (Page 12), Late Night refreshment (Page 13), Healthier Food Provision (Page 13), Location and Trading restrictions (page 17), , Public Nuisance (Page 19), Licensing conditions (page 22)
- the representations (including supporting information) presented by all the parties.

The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

1. Grant the licence as asked.
2. Modify the conditions of the licence, by altering or omitting or adding to them.
3. Reject the whole or part of the application.
4. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities.

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

Appendix I

Section 18 of 21

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.

Evening& night refreshment; hot/cold food and drinks (no alcohol, or any play/dance/music)
Safety/security will be monitored by placing camera in the premises also a supervisor will be in the premises during working hours (17:00-05:00)
The premise will be kept clean at all time, special bin already requested for the premise.

b) The prevention of crime and disorder

Camera will be placed for safety and security reason
There will be a supervisor in the premises between 17:00-05:00am

c) Public safety

A bin is already arranged to put the rubbish away for the premises use only.
Premise does not sell alcohol so its safe for public and children

d) The prevention of public nuisance

There is nothing that would cause nuisance; etc no music, play, dance, or alcohol.

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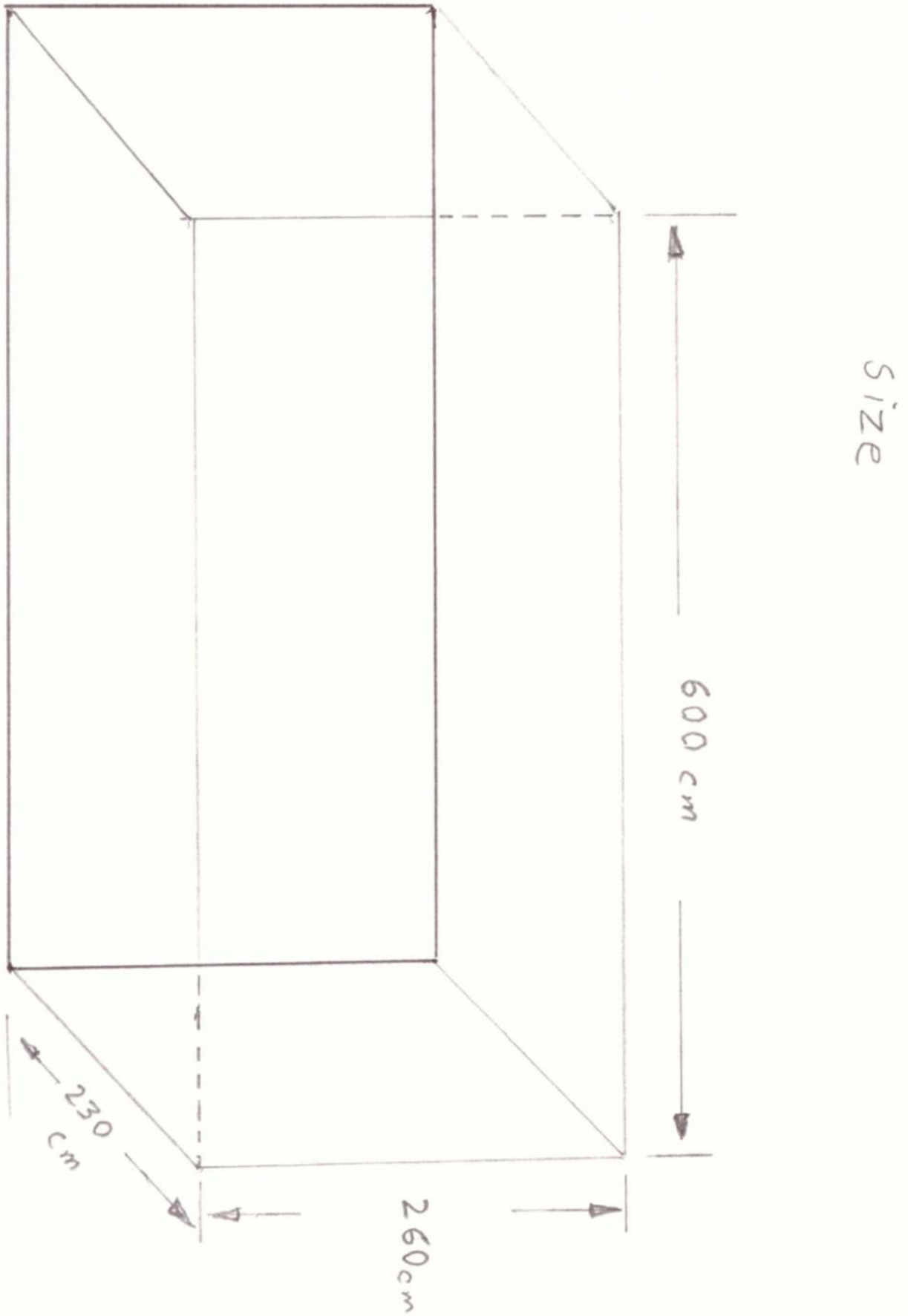
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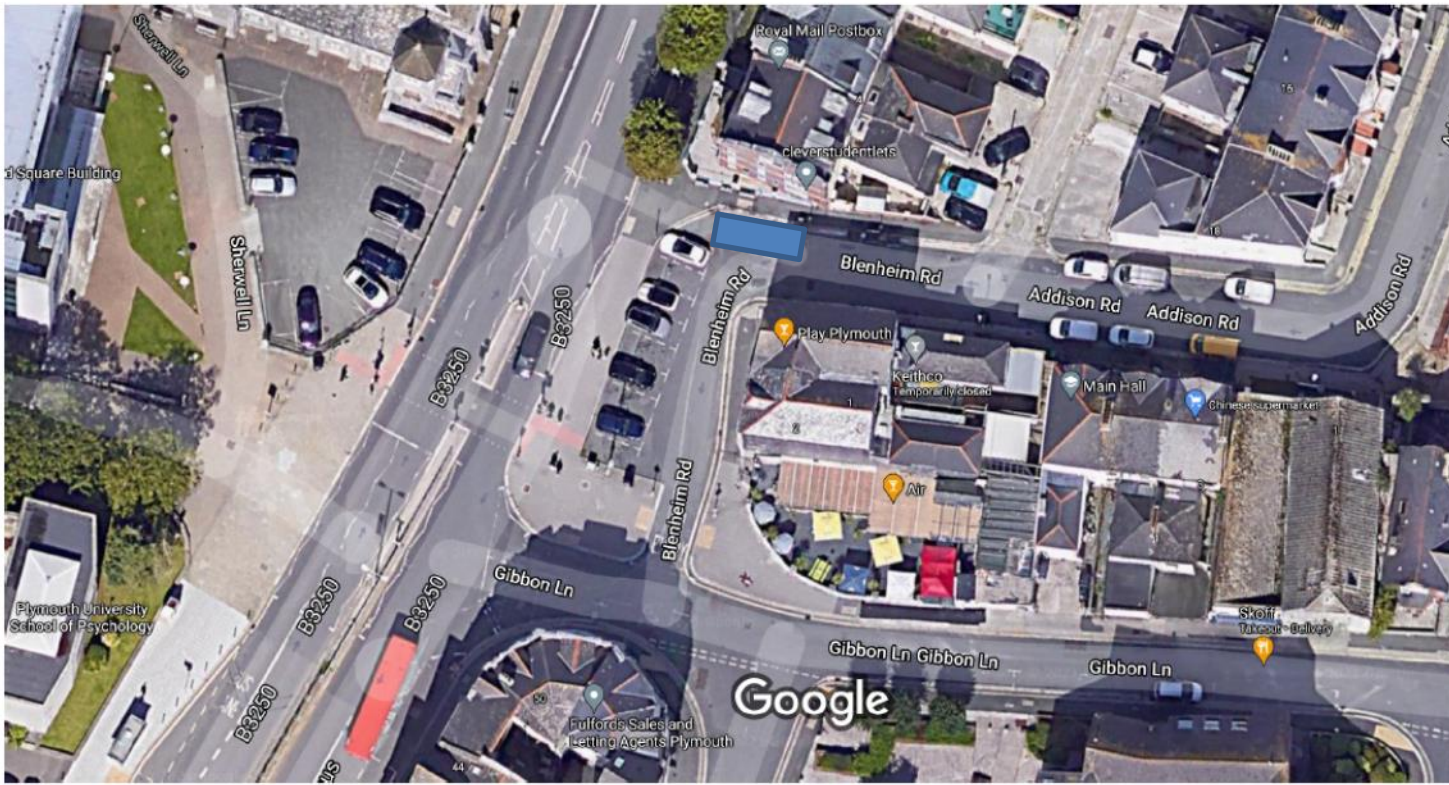
e) The protection of children from harm

No alcohol tor cigarette sell and no other activities to harm children. Also security camera will be additional safety measure along with premise supervisor being in the premise during licensed working hours.

Appendix 2







Licensing Act 2003
Premises Licence

PNA0065

Local Authority



Public Protection Service
Licensing Unit
Plymouth City Council
Windsor House
Plymouth. PL6 5UF
Tel: 01752 304141 Fax: 01752 226314
Email: Licensing@plymouth.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Burgers R Us

Sherwell Arcade, North Hill, Plymouth, Devon, PL4 8LH.

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 AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Outdoors)	Monday to Sunday	23:00	05:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
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WHERE THE LICENCE AUTHORIZES 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

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

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

None.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Licensing Act 2003

Premises Licence**PNA0065****Local Authority****Public Protection Service**

Licensing Unit
 Plymouth City Council
 Windsor House
 Plymouth. PL6 5UF
 Tel: 01752 304141 Fax: 01752 226314
 Email: Licensing@plymouth.gov.uk

ANNEXES continued ...**Steps taken to promote the four Licensing objectives****Prevention of Crime and Disorder**

All incidents of disorder that occur in the immediate vicinity of the premise will be reported to the police as soon as possible.

A log book will be kept of all relevant incidents that occur in the immediate vicinity of the premise and will open to police for inspection

No glass containers will be available to the public from the premise.

Customers will be encouraged to move away from the premise and not congregate in groups

Protection of Children from harm

Any child found to be in distress will be afforded assistance and if necessary the means to contact an adult of their choice.

Prevention of Public Nuisance and Public Safety

Facilities for depositing litter and the collection of litter generated by patrons will be available and maintained.

The generator will be positioned away from residential premises and positioned so that the vehicle acts as a screen.

Regular maintenance will be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.

Any grease or spillages around the van will be cleared up promptly

Patrons will be requested not to congregate around the van after purchasing food and requested to move on quietly.

Signage will be placed on the van requesting patron's co-operation in not disturbing residents by keeping the noise down.

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

- Special Condition one

Licensing Act 2003

Premises Licence**PNA0065****Local Authority****Public Protection Service**

Licensing Unit
Plymouth City Council
Windsor House
Plymouth. PL6 5UF
Tel: 01752 304141 Fax: 01752 226314
Email: Licensing@plymouth.gov.uk

ANNEXES continued ...

- o The premises licence holder is to carry out hourly inspections of the area for litter and clear away any found during trading hours and at the end of each trading day;
- Special Condition two
Between 12 Midnight and 05.00
 - o Noise emanating from any generator used in conjunction with the mobile food unit, will not be distinguishable above background levels 1 metre from the façade of the nearest residential property;
- Special Condition three
 - o Any grease or spillages around the van will be cleaned up promptly and a hot soapy water clean will be carried out at the end of the day. The licence holder should similarly power wash the area every two weeks.

ANNEX 4 - PLANS

As Attached

Appendix 6

UniBurgerman
Tavistock Place,
Plymouth
&
Burgers R Us
Sherwell Arcade
Plymouth

Suggested conditions as follows:

1. An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details (select from the following):
 - i. Any incidents of disorder or of a violent or anti-social nature
 - ii. All crimes reported to the venue, or by the venue to the police
 - iii. Any complaints received
 - iv. Seizures of drugs or offensive weapons
 - v. Any faults in the CCTV system
 - vi. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.
2. The Premises Licence Holder will ensure that a CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.
3. Images shall be retained for a minimum of 31 days
4. The CCTV system shall be capable of downloading images to a recognizable viewable format.
5. At all times the premises are open for business a member of staff shall be present who is capable of operating the CCTV system and downloading images at the request of police or other authorised officer.
6. There will be a minimum of 2 staff working from 23:00 until 05:00.
7. Sufficient measures must be in place to remove litter or waste arising from customers and to prevent such litter/waste accumulating in the immediate vicinity of their premises. Where necessary adequate measures must be in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter etc.
8. Clear and legible notices shall be prominently displayed requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.

Appendix 7

OFFICIAL

Dear Mr. Kilinc

I have received a copy of your application for a late night refreshment licence for Uniburgerman. I have concerns that the licence applied for has the potential to impact on the licensing objective for The Prevention of Public Nuisance. In particular the premises could impact on nearby residential properties.

To prevent any impact on the licensing objectives for The Prevention of Public Nuisance and as such I would suggest the following additional licence conditions;

Prevention of Public Nuisance

1. Between 23:00 and 08:00 no noise can emanate from the Uniburgerman that is audible at the façade of any nearby residential properties.
2. Facilities for depositing litter and the collection of litter generated by patrons will be available and maintained during all trading hours.
3. The premises licence holder is to carry out hourly inspections of the area for litter and clear away any found during trading hours and at the end of each trading day;
4. Any grease or spillages around the van will be cleared up immediately
5. Patrons will be requested not to congregate around the van after purchasing food and requested to move on quietly.
6. Signage will be placed on the van requesting patron's co-operation in not disturbing residents by keeping the noise down.
7. Any grease or spillages around the van will be cleaned up promptly. A further clean will be carried out at the end of trading hours. The licence holder should similarly power wash the area every two weeks.

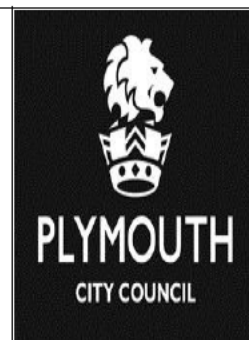
If you are happy for the above conditions to be added to the premises licence please confirm by return email. Alternatively please suggest any alternative conditions that you feel would meet the licensing objective for the prevention of public nuisance.

If you require any further information or would like to discuss this further then please do not hesitate to contact me.

Regards

Will TomkinsEnvironmental Health Officer
Public Protection Service

Appendix 8

LICENSING REPRESENTATION

Case reference: FS-Case-349614389

Premises	
Name of the premises:	Burgers R Us Kiosk
With regard to the following application I want to:	Object
Premises address:	1 Sherwell Arcade, Plymouth, Devon, PL4 8lh
Representation	
In what capacity are you applying:	Councillor

div>

Name:	Cllr Margaret Corvid
Telephone number:	
Mobile number:	
Email address:	
Address:	
Representation details	
Which of the following Licensing Objectives is this representation relevant to:	A. The prevention of crime and disorder, C. The prevention of public nuisance
Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:	I have had numerous expressions of concern from area residents who report that the previous licensed van in this location repeatedly attracts drunken people in the middle of the night, who are making noise, littering, urinating and vomiting. It also generates a huge amount of litter at the site and in surrounding streets. Also, people in a drunken state are vulnerable and their safety and that of others is thus at risk, particularly when they congregate at the van. Thus I am objecting for nuisance, order and public safety reasons.
Is there any reason why you do not want your personal details to be passed on to the premises licence holder:	No

Appendix 9

I wish to object to this licensing application as it creates Public nuisance.

5am is far too late for refreshment to be served. The great majority of local residents are certainly in bed at this time. Living in Skardon Place the sound from the bottom of North Hill comes straight across Drakes Reservoir particularly with southerly wind. By that time most of the predominantly young people - sadly - have had a lot of alcohol to drink and make a noise.

They also cause a huge refuse problem. The front gardens on the east side on North Hill are an absolute disgrace covered in glass bottles, beer cans, wrapping etc,, . Having done this walk one morning last week I was appalled at the mess. This is the main walking route down to The Box, which the city is so proud of. What will visitors think? I was utterly dismayed. I am constantly picking up beer cans etc on North Hill and , and from the reservoir as they get thrown over the railing, sometimes even into the water itself. I go home and carefully wash my hands of course. But why should I have to do this?

In addition I think there are enough drinking and eating venues in that area. Why are we encouraging young people to live these abnormal lives. There are so many students in that area opposite the university. I don't think we need permanent shacks at all.

I hope these thoughts will be taken into consideration.

Appendix 10

Loud noise from rooms in Student Houses, Parties, music till early hours of the morning (14-30) doors slamming, students rowing, shouting, swearing, fighting also rubbish broken glass drunk male climbing in down stairs windows, lots of drink going in and out. It happens at 2-3 nights a week also most week ends; games in middle of road late at night.

I. hope this will help.

Appendix II

Application ref. Uniburgerman 081939 & Burgers R us kiosk 081938

Reasons for objections to this in our area :-

The noise outside in the streets that will go on all night.

The increase in the amount of litter that will be left scattered around.

An increase in the activity and infestation of rats, pigeons and seagulls.

An increase in the hazards from carelessly discarded broken bottles/glass, tin cans etc.

The problem of more anti-social behaviour, including urinating in the street etc.

This will have a detrimental effect on the health and wellbeing of residents in our building (Winifred Baker Court)

Winifred Baker court comprises of 30 retirement apartments. Many of our residents are very elderly and some very frail. We need some peace and quiet. Our building was here before students, bars and burger vans – it was a quiet location.

The burger van business encourages grouping of noisy customers who do not disperse quickly. The burgers R us kiosk is just yards from our property and is applying to open all night long. Please check the location of this kiosk and take this into consideration when looking at their application. There is a lot of shouting, swearing, screaming in the road and other anti-social behaviour. It is not right that we should have to put up with this – it is impossible to sleep.

For the above reasons, we strongly object to the applications above.

Many thanks for championing our objections to the Uniburgerman and Burgers R us Kiosk.

As you can see nearly all of our residents have signed the petition and several have felt strongly enough to put pen to paper.

We live at [REDACTED] court overlooking the gardens. It is often warm, and we like to keep our windows open, even through the night. However, when the noise carries on into the early hours, it is necessary to close the windows to shut out the noise from the music and very loud crowds that gather.

The granting of the licence to these businesses to operate until 5 in the morning will, I'm sure make the matters even more unbearable.

As stated in the letter accompanying the signatures, I feel sure that the litter problem could be made worse from discarded food containers, broken glass, tin cans, sick etc.

Again, thank you for acting for us. If needed I am willing to attend any meetings to support our protest.

Appendix 13

Dear Councillor Chaz Singh,

Thank you for the information re. Unit burger van, + Burgers Us Kiosk.

We find it extremely unwelcome, + to be open until 5am ridiculous, don't these people go to work, or Uni/College later in the morning!

Apart from that, is that we have to suffer the disturbance of singing, shouting, etc + sometimes fighting, these people cannot do not have any idea + couldn't care less.

We have to put up with all this during the period that these places are open.

We have signed a petition with other members of the cant, we are [REDACTED] part of the Cant + encounter a lot more noise, than this.

You have been of great help to our

Can't, & we greatly appreciate this, we
can only hope that your influence
over these applications being turned
down has the desired result.

Amount of litter left, which
requires daily cleaning, also
people urinating in doorway
& lanes.

Councillor Chaz Singh

Drake Ward

8th June 2021

Dear Councillor Chaz Singh

I, like my neighbours, strongly object to the proposed late licence applications for Uniburgerman and Burgers R us Kiosk to be open until 5am as this will exasperate an already un-neighbourly and anti-social situation.

I live on [REDACTED] Winifred Baker Court and frequently suffer from disturbed sleep due to the shouting, screaming and drunken behaviour of the students living and visiting Addison road.

There is also a great deal of litter, including broken glass, tin cans, take-away cartons etc making it hazardous underfoot for us elderly folk.

I believe that the late opening of these businesses will only make matters worse and even more uncomfortable for us.

Last Friday was particularly noisy – again – with students keeping me awake.

Dear All

I am emailing you both in regards to 2 applications for burger van in the Drake Ward.

1 of them uniburgerman is outside Tavistock place and wants to trade Monday to Sunday 11pm to 5am and the other is

Burgers r us kiosk outside the roundabout pub again wanting to trade from 11pm till 5pm.

I'm therefore objecting to both applications due to historical reasons affecting the sheltered accommodation at winifred Baker Court and when a previous burger van was there it attracted asb and so much more which gave residents a poor quality of life.

Now that they are aware of both applications they are very upset that this is coming yo apply for a late licence.

My other concern is the fact we have a multi million attraction and that if the licence was granted and there were repeats of asb then guaranteed there will be an ugly sight for those visitors yo the box museum. There is no guarantee that the place will be kept clean or the council will ensure that cleanliness will kept to a yip yop condition. My other concern is that there are enough food outlets in the area.

It would totally cheapen this area and make the box an area or attraction as a no go.

I hope you understand my concerns and also raise your objections to these 2 applications.

Kind regards

Councillor Chaz Singh

Independent

Drake Ward

LICENSING REPRESENTATION FORM



If you wish to make a representation against or in support of any licensing application, please read the guidance note '[How to make a licensing representation](#)' prior to completing this form.

Please note that a full copy of your representation will be sent to the applicant at any hearing of this matter.

Section 1: Licence application details

I wish to object to the following application

Name of applicant (if known) Kilinc Mehmet

Which type of application you wish to make your representation about?

- Application to vary a premise licence
 Application for a review of a premises licence

Section 2: Your personal details

If you are acting as a representative, please go to Section 3

Title Mr Mrs Miss Ms Other (please state)

Surname Stoneman

Forenames Darren

Address CCTV Control Room, Plymouth City Council, Armada Way

Postcode PL1 2AA

You must provide your full residential address (or business address if you are objecting from a business)

Section 3: Representative details

If you represent residents or businesses please complete the details below

Name of representative/organisation Plymouth

City Council

Address Ballard House, West Hoe Road

Postcode PL1 3BJ

I am

Representative of residents association

Representative of trade/business association

Ward Councillor

Other (please specify)

MP

Civil Enforcement Manager

Section 4: Reason(s) for representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the **likely effect** of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to. You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples such as "I February, I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises opens until 2am that this will cause a nuisance to me and other residents in the street and will affect my sleep."

The prevention of crime and disorder

For example evidence of anti-social behaviour, police incidents

The CCTV service maintain a close eye on this location as it has been highlighted due to the large number of incidents being present in this location, this has been highlighted by the Evening and Night time economy board as an area of concern.

Public safety

For example alterations to the premises, capacity limits

The area in which the van is proposing to park is on the highway and is in a turning area used by motorists and primarily statutory services such as waste, there have been issues previously when the van was left in this location outside of the designated hours which restricted safe access for pedestrians and in particular vulnerable people from nearby sheltered housing. There is a current traffic regulation order in place following these safety concerns and we would not approve the amendment to these to facilitate the van.

LICENSING REPRESENTATION

PLYMOUTH
CITY COUNCIL

Case reference: FS-Case-349364311

Premises	
Name of the premises:	Burgers R Us Kiosk
With regard to the following application I want to:	Object
Premises address:	1 Sherwell Arcade, Plymouth, Devon, PL4 8LH
Representation	
In what capacity are you applying:	A business, body or group

div>

Name of business, body or group:	The Caffeine Club
Name:	[REDACTED]
Telephone number:	[REDACTED]
Mobile number:	
Email address:	caffeineclub@outlook.com
Address:	46 Tavistock Place, Plymouth, Devon, PL4 8AX
Representation details	
Whick of the following Licensing Objectives is this representation relevant to:	A. The prevention of crime and disorder,B. Public safety,C. The prevention of public nuisance
Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:	We are concerned for the cumulative impact of a burger kiosk in the area of Tavistock Place. We are concerned that it will increase and attract late night anti-social in the area, in particular around Tavistock Place and the newly renovated pedestrian area in front of The Box. The increase of people visiting the area on the street will increase the threat of people urinating on the pavement and littering will also increase. We are also concerned for the increase of noise during the night as there is many residential properties in the vicinity.

Is there any reason why you do not want your personal details to be passed on to the premises licence holder:	No
Number of documents in support of your representation uploaded:	0
Declaration	

PREMISES LICENCE GRANT REPORT

Licensing Sub Committee



Date:	24 August 2021
Title of Report:	Grant of Premises Licence – Uniburgerman, Outside the Roundabout Public House, Tavistock Place PL4 8AT
Lead Member:	Councillor John Riley (Cabinet Member for Customer Focus and Community Safety)
Lead Strategic Director:	Dr Ruth Harrell (Office of the Director of Public Health)
Author:	Catherine Macdonald (Enforcement Officer)
Contact Email:	Licensing@plymouth.gov.uk
Your Reference:	Uniburgerman
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of the report:

An application has been received from Mehmet Kilinc in respect of O/S Roundabout Public House, Tavistock Place, Plymouth for the Grant of a premises licence under Section 17 of the Licensing Act 2003.

Recommendations and Reasons:

That Members consider this report.

Alternative options considered and rejected:

None.

Relevance to the Corporate Plan and/or the Plymouth Plan:

Our Plan – A City to be proud of.

This report links to the delivery of the City and Council objectives and outcomes within the plan.

A Growing City: The Licensing Policy and system aims to provide a balance between the need to protect residents and to enable legitimate businesses to operate within a necessary and proportionate regulatory framework. This in turn makes a safer, more vibrant Plymouth to allow economic growth and opportunities for increased levels of employment.

A Caring Council: The Licensing Policy has put in place an appropriate framework to allow the effective control of alcohol supply and regulated entertainment to keep all members of society protected and feeling safe by focusing on prevention and early intervention. The licensing system minimise the burdens on business and to allow communities the opportunity to influence decisions.

See [Our Plan](#)

Implications for Medium Term Financial Plan and Resource Implications:

Not applicable

Carbon Footprint (Environmental) Implications:

None

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Published work / information:

For more information please see the below links.

[Statement of Licensing Policy](#)

[Licensing Act 2003](#)

[Revised guidance issued under section 182 of the Licensing Act 2003 - April 2018](#)

Appendices

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable)						
		1	2	3	4	5	6	7
A	Briefing report (mandatory)							

Background papers:

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of background paper(s)	Exemption Paragraph Number (if applicable)						
	1	2	3	4	5	6	7

Application									

Sign off:

Fin	Click here to enter text.	Leg	SD.20 /07/21.37013	Mon Off	Click here to enter text.	HR	Click here to enter text.	Assets	Click here to enter text.	Strat Proc	Click here to enter text.
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Originating Senior Leadership Team member: [Click here to enter text.](#)

Please confirm the Strategic Director(s) has agreed the report? [Choose](#)

Date agreed: [Date.](#)

Cabinet Member signature of approval: [electronic signature (or typed name and statement of 'approved by email') on Cabinet member approval only]

Date: [Date.](#)

1.0 INTRODUCTION

1.1 On the 21st May 2021 the licensing department received an application from Mehmet Kilinc for the Grant of a Premises Licence under Section 17 of the Licensing Act 2003 in respect of Uniburgerman situated at O/S Roundabout Public House, Tavistock Place, Plymouth.

1.2 Grant application.

The applicant wants to upgrade the mobile catering van, which is already licensed under premises Licence Number PNA0116 and currently located Outside the Roundabout Public House, Tavistock Place PL4 8AT, with a new fixed kiosk design that can be open 24hours a day. They have advised the following: - I strongly believe upgrading my business with the latest Kiosk design will help my business grow better and also benefits the environment. We will be providing the same usual night refreshment; hot/cold food and drink (no alcohol). The premise will not have any sitting area, therefore food will be only available as take away. The layout expected to be between 16ft by 13ft (please see kiosk model supporting documents we want to buy)

1.3 Licensable Activities.

The following licensable activities and timings have been requested:

(i) Late Night Refreshment (Outdoors)

_Hours

Monday – Sunday 23:00 to 05:00

1.4 The applicant has submitted an Operating Schedule (Appendix 1).

1.5 Photograph and drawing of proposed vehicle supplied by applicant. (Appendix 2 & 3).

1.6 Site location of vehicle supplied by applicant (Appendix 4).

1.7 Copy of existing licence already in place for a mobile catering van at the same location (Appendix5)

1.8 Representations have been received in respect of this application.

1.9 Cumulative Impact Policy

This application does fall within an area to which the Cumulative Impact Policy applies and creates a rebuttable presumption that applications for new licences or variations to existing ones which are likely to add to the existing cumulative impact will normally be refused unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives if the application were granted. However, before the Licensing Authority can lawfully consider giving effect to this policy there must be a relevant representation from either a responsible authority or an interested party referring to information which was before the Licensing Authority when this special policy was developed.

2.0 RESPONSIBLE AUTHORITIES

- 2.1 *Devon & Cornwall Police* – no representation was received as the Police agreed conditions with the applicant. The agreed conditions are at Appendix 6.
- 2.2 *Environmental Health* – no representation was received as Environmental Health agreed conditions with the applicant. The agreed conditions are at Appendix 7
- 2.3 *Devon & Somerset Fire & Rescue Service* – no representations.
- 2.4 *Trading Standards* – no representations
- 2.5 *Planning Officer* - no representations.
- 2.6 *Child Protection* – no representations
- 2.7 *Health & Safety Executive* – no representations.
- 2.8 *Health Authority (ODPH)* – no representations.
- 2.9 *Licensing Authority* – no representations.

3.0 OTHER PARTIES

13 letters have been received that are attached to this report marked appendix 8 to 21. The committee is advised that whilst there is reference to a petition in appendix 14, no petition was ever submitted.

4.0 CONSIDERATIONS

- 4.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm.

In making its decision the Committee is also obliged to have regard to:

- the guidance issued under section 182 of the Licensing Act 2003 with the following paragraphs relevant to this application: 1.2 – 1.5, 1.16 – 1.17, 2.1, 2.3, 2.7 – 2.8, 2.10, 2.15 – 2.19, 2.21 – 2.22, 3.21, 3.34, 8.13 – 8.14, 9.3, 9.11, 9.37 – 9.40, 9.42 – 9.44 and 10.8 - 10.10, 14.21 – 14.24, 14.28, 14.44 – 14.45
- the Council's own Licensing Policy with the following headed paragraphs being relevant to this application: Late Night refreshment (Page 13), Healthier Food Provision (Page 13),

Dispersal Policy (Page 12); Licensing Hours (Page 12), Location and Trading restrictions (page 17), Protecting children from harm (page 18), Public Nuisance (Page 19), Licensing conditions (page 22), Cumulative impact assessment (page 33 – 34, 36)

- the representations (including supporting information) presented by all the parties.

The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

1. Grant the licence as asked.
2. Modify the conditions of the licence, by altering or omitting or adding to them.
3. Reject the whole or part of the application.
4. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities.

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

Appendix I

Section 18 of 21

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.

Evening& night refreshment; hot/cold food and drinks (no alcohol, or any play/dance/music)
Safety/security will be monitored by placing camera in the premises also a supervisor will be in the premises during working hours (17:00-05:00)
The premise will be kept clean at all time, special bin already requested for the premise.

b) The prevention of crime and disorder

Camera will be placed for safety and security reason
There will be a supervisor in the premises between 17:00-05:00am

c) Public safety

A bin is already arranged to put the rubbish away for the premises use only.
Premise does not sell alcohol so its safe for public and children

d) The prevention of public nuisance

There is nothing that would cause nuisance; etc no music, play, dance, or alcohol.

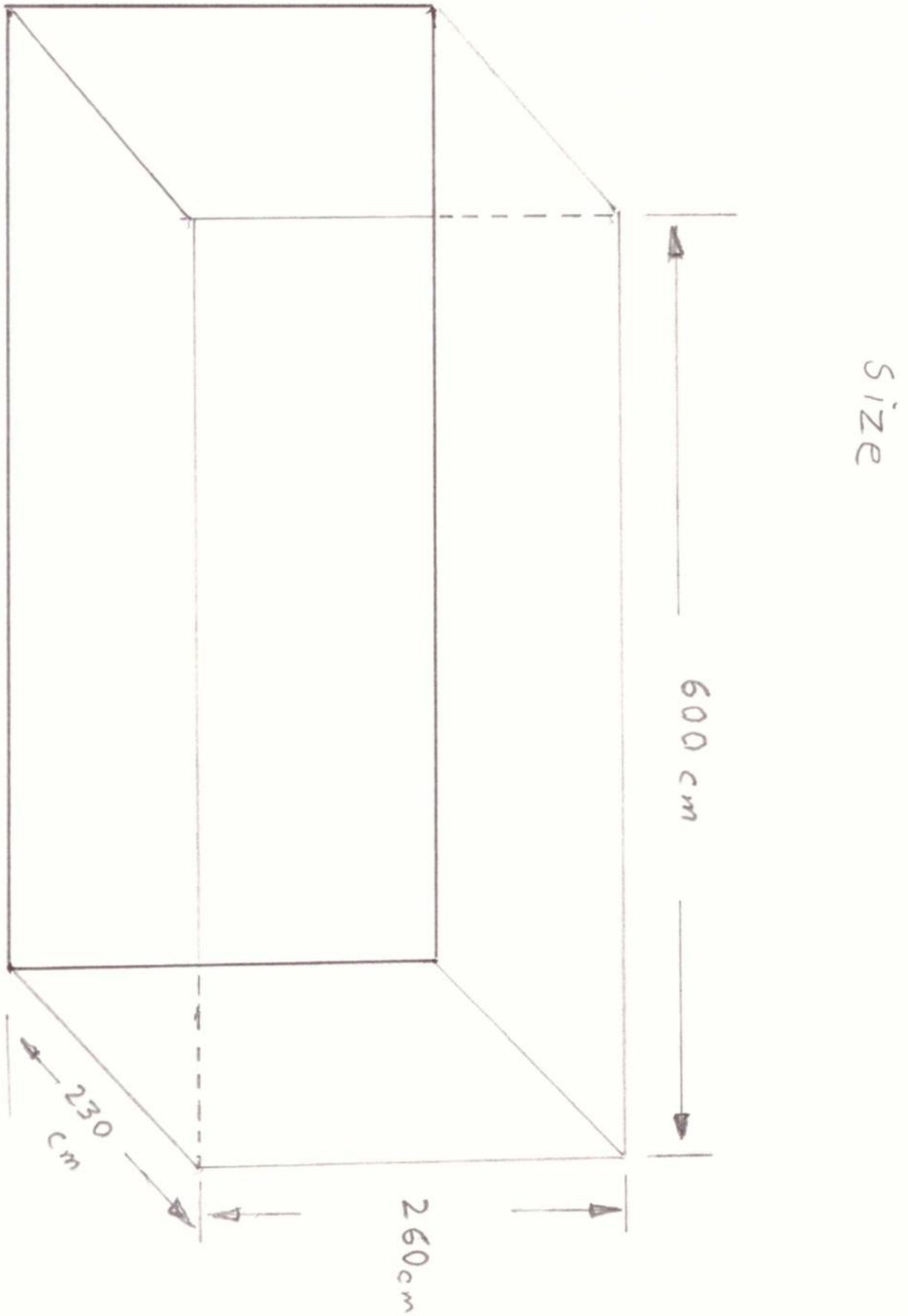
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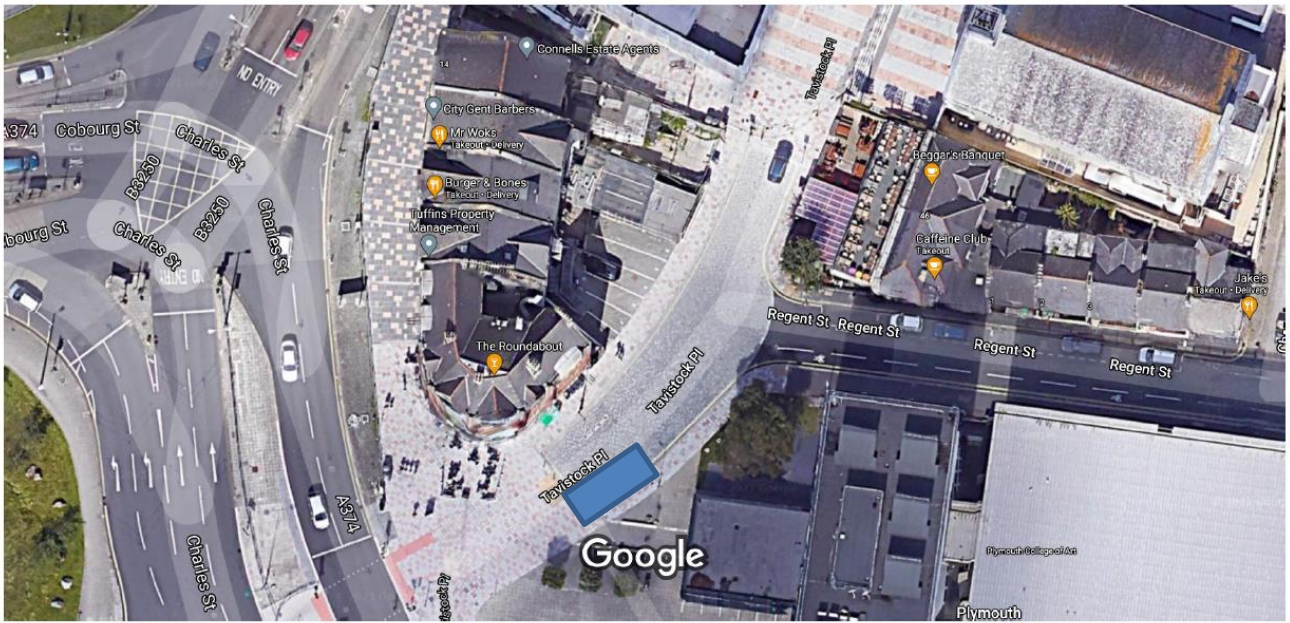
Continued from previous page...

e) The protection of children from harm

No alcohol tor cigarette sell and no other activities to harm children. Also security camera will be additional safety measure along with premise supervisor being in the premise during licensed working hours.







Licensing Act 2003
Premises Licence**PNA0116****Local Authority****Public Protection Service**

Licensing Unit
 Plymouth City Council
 Windsor House
 Plymouth. PL6 5UF
 Tel: 01752 304141 Fax: 01752 226314
 Email: Licensing@plymouth.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Mobile Catering Van**

O/S Roundabout Public House, Tavistock Place, Plymouth, Devon.

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
L. Late night refreshment (Outdoors)	Monday to Sunday	23:00	05:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
-------------	-----------	---------

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**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)****ANNEXES****ANNEX 1 - MANDATORY CONDITIONS**

none

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Licensing Act 2003

Premises Licence**PNA0116****Local Authority****Public Protection Service**

Licensing Unit
 Plymouth City Council
 Windsor House
 Plymouth. PL6 5UF
 Tel: 01752 304141 Fax: 01752 226314
 Email: Licensing@plymouth.gov.uk

ANNEXES continued ...

Steps that have been taken to promote the Four Licensing ObjectivesPrevention of Crime and Disorder

- All incidents of disorder that occur in the immediate vicinity of the premise will be reported to the police as soon as possible.
- A logbook will be kept of all relevant incidents that occur in the immediate vicinity of the premise and will open to police for inspection.
- No glass containers will be kept of all relevant incidents that occur in the immediate vicinity of the premise and will open to police for inspection
- No glass containers will be available to the public from the premise.
- Customers will be encouraged to move away from the premise and not congregate in groups

Protection of Children from harm

- Any child found to be in distress will be afforded assistance and if necessary the means to contact an adult of their choice.

Prevention of Public Nuisance and Public Safety

- Facilities for depositing litter and the collection of litter generated by patrons will be available and maintained.
- The generator will be positioned away from residential premises and positioned so that the vehicle acts as a screen.
- Regular maintenance will be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
- Any grease or spillages around the van will be cleared up promptly.
- Patrons will be requested not to congregate around the van after purchasing food and requested to move on quietly.
- Signage will be placed on the van requesting patron's co-operation in not disturbing residents by keeping the noise down.

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

- At the end of trade each day the area around the vehicle should be inspected and litter cleaned

Licensing Act 2003

Premises Licence**PNA0116****Local Authority****Public Protection Service**

Licensing Unit
Plymouth City Council
Windsor House
Plymouth. PL6 5UF
Tel: 01752 304141 Fax: 01752 226314
Email: Licensing@plymouth.gov.uk

ANNEXES continued ...

- away;
- Noise emanating from any generator used in conjunction with the mobile food unit, will not be distinguishable above background levels one metre from the façade of the nearest residential property.

ANNEX 4 - PLANS

As Attached

Appendix 6

UniBurgerman
Tavistock Place,
Plymouth
&
Burgers R Us
Sherwell Arcade
Plymouth

Suggested conditions as follows:

1. An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details (select from the following):

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police
- iii. Any complaints received
- iv. Seizures of drugs or offensive weapons
- v. Any faults in the CCTV system
- vi. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

2. The Premises Licence Holder will ensure that a CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.

3. Images shall be retained for a minimum of 31 days

4. The CCTV system shall be capable of downloading images to a recognizable viewable format.

5. At all times the premises are open for business a member of staff shall be present who is capable of operating the CCTV system and downloading images at the request of police or other authorised officer.

6. There will be a minimum of 2 staff working from 23:00 until 05:00.

7. Sufficient measures must be in place to remove litter or waste arising from customers and to prevent such litter/waste accumulating in the immediate vicinity of their premises. Where necessary adequate measures must be in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter etc.

8. Clear and legible notices shall be prominently displayed requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.

Appendix 7

OFFICIAL

Dear Mr. Kilinc

I have received a copy of your application for a late night refreshment licence for Uniburgerman. I have concerns that the licence applied for has the potential to impact on the licensing objective for The Prevention of Public Nuisance. In particular the premises could impact on nearby residential properties.

To prevent any impact on the licensing objectives for The Prevention of Public Nuisance and as such I would suggest the following additional licence conditions;

Prevention of Public Nuisance

1. Between 23:00 and 08:00 no noise can emanate from the Uniburgerman that is audible at the façade of any nearby residential properties.
2. Facilities for depositing litter and the collection of litter generated by patrons will be available and maintained during all trading hours.
3. The premises licence holder is to carry out hourly inspections of the area for litter and clear away any found during trading hours and at the end of each trading day;
4. Any grease or spillages around the van will be cleared up immediately
5. Patrons will be requested not to congregate around the van after purchasing food and requested to move on quietly.
6. Signage will be placed on the van requesting patron's co-operation in not disturbing residents by keeping the noise down.
7. Any grease or spillages around the van will be cleaned up promptly. A further clean will be carried out at the end of trading hours. The licence holder should similarly power wash the area every two weeks.

If you are happy for the above conditions to be added to the premises licence please confirm by return email. Alternatively please suggest any alternative conditions that you feel would meet the licensing objective for the prevention of public nuisance.

If you require any further information or would like to discuss this further then please do not hesitate to contact me.

Regards

Will TomkinsEnvironmental Health Officer
Public Protection Service

Appendix 8

LICENSING REPRESENTATION FORM



If you wish to make a representation against or in support of any licensing application, please read the guidance note '[How to make a licensing representation](#)' prior to completing this form.

Please note that a full copy of your representation will be sent to the applicant at any hearing of this matter.

Section 1: Licence application details

I wish to object to the following application I wish to support the following application

Name of applicant (if known) Uni Burger Man 081939

Premises name and address Outside
Roundabout public house and Plymouth College
of Art, Tavistock Place, Plymouth ,

Postcode PL4 8AT

Which type of application you wish to make your representation about?

- Application for a new premises licence
 Application to vary a premise licence
 Application for a review of a premises licence

Section 2: Your personal details

If you are acting as a representative, please go to Section 3

Title Mr Mrs Miss Ms Other (please state)

Surname

Forenames

Address

Postcode

Email

Telephone

You must provide your full residential address (or business address if you are objecting from a business)

Section 3: Representative details

If you represent residents or businesses please complete the details below

Name of representative/organisation Sarah Cain,
Operations Director, University Commercials
Services (UCSP), University of Plymouth

Address Drake Circus, Plymouth, Devon

Postcode PL4 8AA

I am

Representative of residents association

Representative of trade/business association

Ward Councillor

Other (please specify) Representative of the UCSP, University of Plymouth

MP

Section 4: Reason(s) for representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the **likely effect** of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to. You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples such as "I February, I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises opens until 2am that this will cause a nuisance to me and other residents in the street and will affect my sleep."

The prevention of crime and disorder

For example evidence of anti-social behaviour, police incidents

There is no need for additional late night restaurants/fast food outlets with many in close walking distance.

Mr Wok

The Roundabout

Caffeine Club (24hrs)

Jakes Takeaway (24hrs)

Switch (10am - 6am)

Air (10.30am - 12am)

There are many reports from residents and the Plymouth College of Art in relation to late night vandalism, defecating in public and drunk and disorderly behaviour. Another permanent outlet will indubitably increase this.

Public safety

For example alterations to the premises, capacity limits

The proposed location of this outlet will block access for the emergency services if they need to get to the Plymouth College of Art fight a fire if one broke out at the art college and also we believe will block fire evacuation routes for the College. The siting of the van will also compromise access for disabled users of the area.

The prevention of public nuisance

For example noise disturbance, littering

Fast food restaurants and outlets produce a tremendous amount of packaging waste, with unsightly images of littered locations featured fast-food packaging, drinks cans and plastic bottles as the primary culprits. It would be remiss of the council to allow a permanent fast food structure without ensuring that all of the necessary recyclable/biodegradable/compostable packing options are a requisite for this fast food outlet. The University works hard to ensure sustainability within all of its catering outlets, is externally accredited by the Sustainable Restaurant Association and was named as one of the top 20 sustainable businesses in 2019. This includes the removal of plastic from our outlets, offering multiple recycling points and also reducing food waste by promoting and using the 'Too Good to Go' app. We cannot be associated with an establishment named 'Uni Burger Man' which suggests that it is part of the University of Plymouth. There will be a perception that this outlet will have been approved by the University by dint of its location as well as its name.

The protection of children from harm

For example underage sales, exposure to certain performances

The University of Plymouth is home to many young people who study and live on campus. Whilst we can't dictate the type of food that our students consume, we can encourage a healthy lifestyle with different food options. To add a permanent fast food outlet (when there are already many in the local area) goes against what Plymouth City Council are trying to achieve in promoting a healthy lifestyle via the Thrive Plymouth policies which are about creating the environment where the healthy choice is the easy choice.

The University works hard to support and encourage our students (and staff) to maintain good physical and mental health with a wide variety of catering options available across campus from vegan/vegetarian to healthy 'to go' options. We cannot have our reputation and principles compromised by being associated with this fast food establishment due to name and location.

It may also attract groups of people in the later hours who are under the influence, and may pose an additional security risk to students walking back to their halls.

I Sarah Cain, hereby declare that all information I have submitted is true and correct.

Signed

Date 15/7/21

I am

Representative of residents association

Representative of trade/business association

Ward Councillor

Other (please specify) _____

MP

Section 4: Reason(s) for representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the **likely effect** of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to. You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples such as "I February, I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises opens until 2am that this will cause a nuisance to me and other residents in the street and will affect my sleep."

The prevention of crime and disorder

For example evidence of anti-social behaviour, police incidents

There is a history of police incidents around entrance the Burger van outside (UBA) at the top of Tamarisk Road.

Public safety

For example alterations to the premises, capacity limits

The prevention of public nuisance

For example noise disturbance, littering

IN AN AREA WHICH ALREADY HAS
4 LATE NIGHT FOOD SERVICES I THINK THIS
WILL ADD TO THE NOISE AND LITTERING PROBLEM
THERE IS ALSO A HISTORY OF TIGHTS ETC OUTSIDE
OF THE OTHER BURGESS VANS AND CLUBS.

The protection of children from harm

For example underage sales, exposure to certain performances

Appendix 10

I wish to object to this licensing application as it creates Public nuisance.

5am is far too late for refreshment to be served. The great majority of local residents are certainly in bed at this time. Living in Skardon Place the sound from the bottom of North Hill comes straight across Drakes Reservoir particularly with southerly wind. By that time most of the predominantly young people - sadly - have had a lot of alcohol to drink and make a noise.

They also cause a huge refuse problem. The front gardens on the east side on North Hill are an absolute disgrace covered in glass bottles, beer cans, wrapping etc,, . Having done this walk one morning last week I was appalled at the mess. This is the main walking route down to The Box, which the city is so proud of. What will visitors think? I was utterly dismayed. I am constantly picking up beer cans etc on North Hill and , and from the reservoir as they get thrown over the railing, sometimes even into the water itself. I go home and carefully wash my hands of course. But why should I have to do this?

In addition I think there are enough drinking and eating venues in that area. Why are we encouraging young people to live these abnormal lives. There are so many students in that area opposite the university. I don't think we need permanent shacks at all.

I hope these thoughts will be taken into consideration.

Appendix 11

**LICENSING
REPRESENTATION FORM**

If you wish to make a representation against or in support of any licensing application, please read the guidance note '[How to make a licensing representation](#)' prior to completing this form.

Please note that a full copy of your representation will be sent to the applicant at any hearing of this matter.

Section 1: Licence application details

I wish to object to the following application I wish to support the following application

Name of applicant (if known) Uniburgerman 081939

Premises name and address Outside
Roundabout public house and Plymouth College
of Art, Tavistock Place, Plymouth ,

Postcode PL4 8AT

Which type of application you wish to make your representation about?

- Application for a new premises licence
 Application to vary a premise licence
 Application for a review of a premises licence

The prevention of crime and disorder

For example evidence of anti-social behaviour, police incidents

I Sarah Hyatt, who represents the Plymouth College of Art object to the siting of this business on the boundary line for the Plymouth College of Art, due to the area already being affected by high levels of Graffiti, high levels of theft, abuse to students who study in the surrounding buildings who are often vulnerable and will work late into the evening. Broken glass/bottles from those drinking in the area or passing through, unsavoury individuals approaching students, high levels of drug paraphernalia in the surrounding areas. The college also has a problem during the evenings of persons defecating on our property /grounds. We have already incurred costs for additional security and physical barriers on our property in an attempt to mitigate the aforementioned problems.

The Police station at Charles cross will hold records of the reports which have been made through the years by the College and surrounding residents and buildings which include violence, vandalism to our grounds, property and theft. Over the years the Police have also had to move on a growing number of people from our grounds to ensure we can safeguard all who use our premises.

For example alterations to the premises, capacity limits

The location of the proposed burger van blocks the area where fire crews from Greenbank and surrounding station would need to locate their equipment to fight a fire if one broke out at the art college and this also blocks our fire evacuation routes. The siting of the van will also compromise

access and egress for disabled users of the area. This is already an issue with rubbish and broken glass from surrounding take aways and public houses and those passing by the premises.

There is also a large rodent population in the area which all the businesses are trying to control by using their own employed pest control services, any such business would have a detrimental effect on the hard work businesses and homes have already carried out.

The items mentioned against this category are closely linked to those in “The prevention of crime and disorder”.

The prevention of public nuisance

For example noise disturbance, littering

We work hard to maintain and keep our College grounds looking the best they can to ensure we enhance the area, the proposed location and business raises concerns as we already have to deal with large amounts of waste/rubbish dropped on our property to include broken glass, take away containers, empty alcohol bottles and cigarettes as the proposed location is within 3 feet of our property and boundary line this issue will only increase, more bins could be sited in the area, but they will then spoil the cultural quarters overall design, look and ethos as well as being a magnet for rodents. Furthermore additional refuse collection would reduce the pavement space which sees high footfall.

Our permitted and most successful advertising space is a large wall used for creative displays, this is directly behind the proposed burger van that would significantly degrade it as a vital business function.

Smells(air quality) from the proposed business will impact our site, I am concerned we won't be able to open windows in the summer months, we already experience issues with smells from surrounding businesses which can cause our community to feel unwell thorough the year.

The protection of children from harm

For example underage sales, exposure to certain performances

The College has circa 3000 students on roll, studying full time from age 16, as well as short courses for primary aged children.

We as a college promote healthy eating and sustainability, the proposed venue sited outside our campus, canteen and student's union will have a detrimental effect on the progress the College and its students have made and expect.

I'm sure you're already aware of the relevant local and government guidance on healthy eating, along with the supporting scientific studies, such as the Government's 'A Call to Action an Obesity in England' or NICE's various guidance documents. I feel that such a venue on the doorstep of a young person's educational establishment goes against which we should all be striving to achieve.

The College also has on its property seating areas for our students and staff to ensure they are safeguarded at all times this includes eating lunch and rest breaks it will be difficult to manage the proposed businesses customers not to use our seating areas causing disruption to our community. We have a high number of students who are particularly vulnerable at the College and we work

hard to ensure they feel safe. Our students often work late into the evening and having this establishment outside the College will cause our already nervous and anxious students to become increasingly concerned and worried as the proposed area also acts as a pick up point for disabled and vulnerable students.

The name of the proposed venue also concerns us as it will look as if it is affiliated to the College and University of Plymouth, as we promote healthy eating this is not a god reflection on Government guidance regarding dietary needs of young people and we inevitably will have calls from the public if they are unhappy with the business or the issues it may cause. This name could cause damage to our Brand.

It also concerns the College that those drinking in the area or passing through, will inevitably want something to eat, those who stop at the burger bar could possibly approach our vulnerable students on our grounds. Unfortunately the college also has a problem during the evenings of persons defecating on our property /grounds a food establishment such as this will only increase the problem.

Appendix 12

Loud noise from rooms in Student
houses, Parties, music till early hours
of the morning (14-30) doors slamming,
students rowing, shouting, swearing,
fighting also rubbish broken glass
drunk male climbing in down stairs
windows, lots of drink going in and out
It happens at 2-3 nights a week also
most week ends; games in middle of
road late at night.

I hope this will help.

Application ref. Uniburgerman 081939 & Burgers R us kiosk 081938

Reasons for objections to this in our area :-

The noise outside in the streets that will go on all night.

The increase in the amount of litter that will be left scattered around.

An increase in the activity and infestation of rats, pigeons and seagulls.

An increase in the hazards from carelessly discarded broken bottles/glass, tin cans etc.

The problem of more anti-social behaviour, including urinating in the street etc.

This will have a detrimental effect on the health and wellbeing of residents in our building (Winifred Baker Court)

Winifred Baker court comprises of 30 retirement apartments. Many of our residents are very elderly and some very frail. We need some peace and quiet. Our building was here before students, bars and burger vans – it was a quiet location.

The burger van business encourages grouping of noisy customers who do not disperse quickly. The burgers R us kiosk is just yards from our property and is applying to open all night long. Please check the location of this kiosk and take this into consideration when looking at their application. There is a lot of shouting, swearing, screaming in the road and other anti-social behaviour. It is not right that we should have to put up with this – it is impossible to sleep.

For the above reasons, we strongly object to the applications above.

Appendix 14

Many thanks for championing our objections to the Uniburgerman and Burgers R us Kiosk.

As you can see nearly all of our residents have signed the petition and several have felt strongly enough to put pen to paper.

We live at the [REDACTED] overlooking the gardens. It is often warm, and we like to keep our windows open, even through the night. However, when the noise carries on into the early hours, it is necessary to close the windows to shut out the noise from the music and very loud crowds that gather.

The granting of the licence to these businesses to operate until 5 in the morning will, I'm sure make the matters even more unbearable.

As stated in the letter accompanying the signatures, I feel sure that the litter problem could be made worse from discarded food containers, broken glass, tin cans, sick etc.

Again, thank you for acting for us. If needed I am willing to attend any meetings to support our protest.

Appendix 15

LICENSING REPRESENTATION**Case reference: FS-Case-349524125**

Premises	
Name of the premises:	Uniburgerman
With regard to the following application I want to:	Object
Premises address:	40 Tavistock Place, Plymouth, Devon, PL4 8AX
Representation	
In what capacity are you applying:	A business, body or group

div>

Name of business, body or group:	Caffeine club
Name:	
Telephone number:	
Mobile number:	
Email address:	
Address:	46 Tavistock Place, Plymouth, Devon, PL4 8AX
Representation details	
Whick of the following Licensing Objectives is this representation relevant to:	A. The prevention of crime and disorder,B. Public safety,C. The prevention of public nuisance
Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:	I am concerned that if the uniburgervan tavistock place opens from 12am until 5am that this will cause a nuisance to the area and other residents in the street with littering and large groups

Is there any reason why you do not want your personal details to be passed on to the premises licence holder:	No
Number of documents in support of your representation uploaded:	0

Appendix 16

Dear Councillor Chaz Singh,

Thank you for the information re. Unit burger van, + Burger to Kiosk.

We find it extremely unwanted, + to be open until 5am ridiculous, don't these people go to work, or Uni/College later in the morning!

Apart from that, is that we have to suffer the disturbance, of singing, shouting, etc + sometimes fighting, these people concern do not have any idea + couldn't care less.

We have to put up with all this during the period that these places are open.

We have signed a petition with other members of the cant, we are [REDACTED] part of the Cant + encounter a lot more noise than this.

You have been of great help to our

Can't, & we greatly appreciate this, we
can only hope that your influence
over these applications being turned
down has the desired result.

Amount of litter left, which
requires daily cleaning, also
people urinating in doorway
& lanes.

Councillor Chaz Singh

Drake Ward

8th June 2021

Dear Councillor Chaz Singh

I, like my neighbours, strongly object to the proposed late licence applications for Uniburgerman and Burgers R us Kiosk to be open until 5am as this will exasperate an already un-neighbourly and anti-social situation.

I live on the front of Winifred Baker Court and frequently suffer from disturbed sleep due to the shouting, screaming and drunken behaviour of the students living and visiting Addison road.

There is also a great deal of litter, including broken glass, tin cans, take-away cartons etc making it hazardous underfoot for us elderly folk.

I believe that the late opening of these businesses will only make matters worse and even more uncomfortable for us.

Last Friday was particularly noisy – again – with students keeping me awake.

Dear All

I am emailing you both in regards to 2 applications for burger van in the Drake Ward.

1 of them uniburgerman is outside Tavistock place and wants to trade Monday to Sunday 11pm to 5am and the other is

Burgers r us kiosk outside the roundabout pub again wanting to trade from 11pm till 5pm.

I'm therefore objecting to both applications due to historical reasons affecting the sheltered accommodation at winifred Baker Court and when a previous burger van was there it attracted asb and so much more which gave residents a poor quality of life.

Now that they are aware of both applications they are very upset that this is coming yo apply for a late licence.

My other concern is the fact we have a multi million attraction and that if the licence was granted and there were repeats of asb then guaranteed there will be an ugly sight for those visitors yo the box museum. There is no guarantee that the place will be kept clean or the council will ensure that cleanliness will kept to a yip yop condition. My other concern is that there are enough food outlets in the area.

It would totally cheapen this area and make the box an area or attraction as a no go.

I hope you understand my concerns and also raise your objections to these 2 applications.

Kind regards

Councillor Chaz Singh

Independent

Drake Ward

LICENSING REPRESENTATION FORM



If you wish to make a representation against or in support of any licensing application, please read the guidance note ['How to make a licensing representation'](#) prior to completing this form.

Please note that a full copy of your representation will be sent to the applicant at any hearing of this matter.

Section 1: Licence application details

I wish to object to the following application

I wish to support the following application

Name of applicant (if known) Mr Mehmet Kilinc

Premises name and address o/s
Roundabout public house

Postcode PL4 8AT

Which type of application you wish to make your representation about?

Application for a new premises licence

Application to vary a premise licence

Application for a review of a premises licence

Section 2: Your personal details

If you are acting as a representative, please go to Section 3

Title Mr Mrs Miss Ms Other (please state)

Surname

Forenames

Address Roundabout public house 2-4
drakes circus

Plymouth

Postcode PL4 8AQ

Email
roundabout.plymouth@stonegatepubs.com

Telephone

You must provide your full residential address (or business address if you are objecting from a business)

The prevention of crime and disorder

For example evidence of anti-social behaviour, police incidents

The area is highly used by students and there has been many reported crimes in the area involving theft, damage to property and assaults. Having this van in the position especially at night will only enhance the issue.

Unless there is 24 hour CCTV which can be accessed to help record any issues for the relevant authorities

I fear that not only will there be crime and disorder there as there will be nowhere for anyone to sit, I feel the van itself will stick out and be vandalised, broken into or try to be moved.

There are already plenty of late night refreshment venues in the area all with CCTV and or security.

Public safety

For example alterations to the premises, capacity limits

How will the capacity of the venue be monitored and will people be encouraged to move off after

Purchasing their goods? Also we have received information that there have been incidents involving drugs in and around other vans in the area

When someone purchases a food or drink item where will they go to eat it, is there any seating

Permitted? What about the provision for discarding their rubbish as when students are back

The whole area needs daily cleaning this will certainly only make that issue worse

The prevention of public nuisance

For example noise disturbance, littering

Littering is going to be a problem, noise with these premises closer to the occupied houses

We have to remove outside furniture by 11pm as to not cause a nuisance to residents but allowing

This to go ahead will only encourage people to hang around the area creating more noise

Has there been reported increase in pest activity around mobile units?

The protection of children from harm

For example underage sales, exposure to certain performances

I do not believe that children will be exposed to this van as the area has limited families living

There but with the box and the visitors they may have children walking by although I do not think this will

Cause any harm.

Appendix 20

LICENSING REPRESENTATION

PLYMOUTH
CITY COUNCIL

Case reference: FS-Case-349587223

Premises	
Name of the premises:	Uniburgerman
With regard to the following application I want to:	Object
Premises address:	O/S Roundabout Public House Tavistock Place, Plymouth, Devon, PL4 8AT
Representation	
In what capacity are you applying:	A business, body or group

div>

Name of business, body or group:	The Caffeine Club
Name:	
Telephone number:	
Mobile number:	
Email address:	caffeineclub@outlook.com
Address:	46 Tavistock Place, Plymouth, Devon, PL4 8AX
Representation details	
Whick of the following Licensing Objectives is this representation relevant to:	A. The prevention of crime and disorder,B. Public safety,C. The prevention of public nuisance

<p>Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:</p>	<p>We are concerned for the burger van to be on the street during the evening and into the night due to the following reasons;</p> <p>The culminative impact of the area.</p> <p>The increase of people loitering in the street overnight will increase anti social behaviour around The Box area and around our café. The increase of littering on the street will have an impact. As we are a 24 hour premises, we are concerned that the increase of people loitering on the street will encourage people who are not our customers using our facilities, eg toilets. There may also be an issue with people urinating on the street as there is no outdoor toilet facilities in the area.</p> <p>This will also increase the noise in the area during the night.</p> <p>We are really concerned with the impact that this business will have on the area and the newly renovated pedestrian area outside our premises and The Box.</p>
<p>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</p>	<p>No</p>
<p>Number of documents in support of your representation uploaded:</p>	<p>0</p>