

# 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

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## 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.

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## Recommendations and Reasons:

That Members consider this report.

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## Alternative options considered and rejected:

None.

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## 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](#)

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## 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) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A</i>						
		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) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	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 21<sup>st</sup> 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:

<b>(i) Late Night Refreshment (Outdoors)</b>
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_Hours
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Monday – Sunday 23:00 to 05:00
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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.

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.

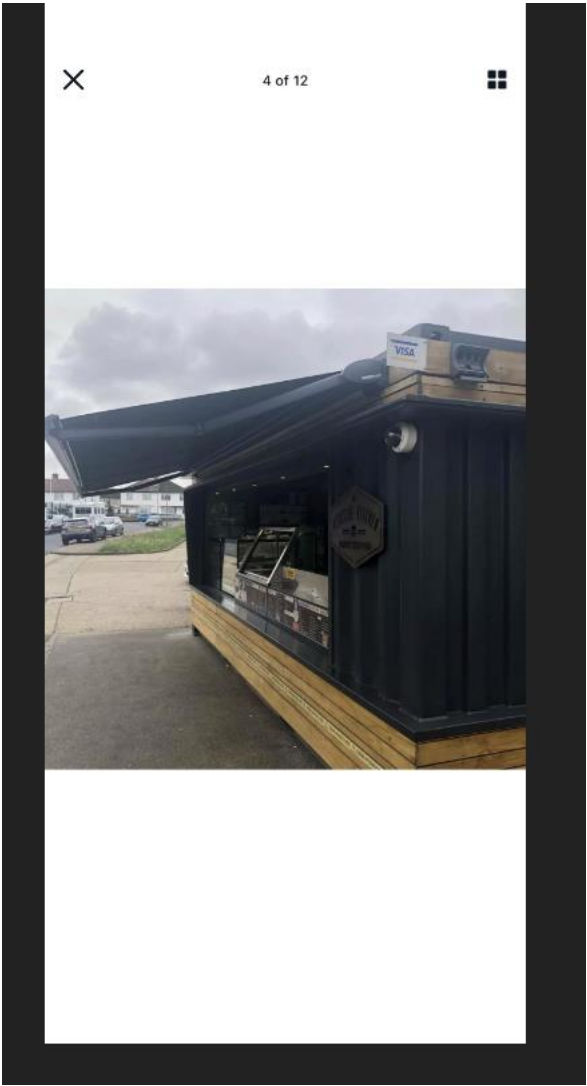
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e) The protection of children from harm

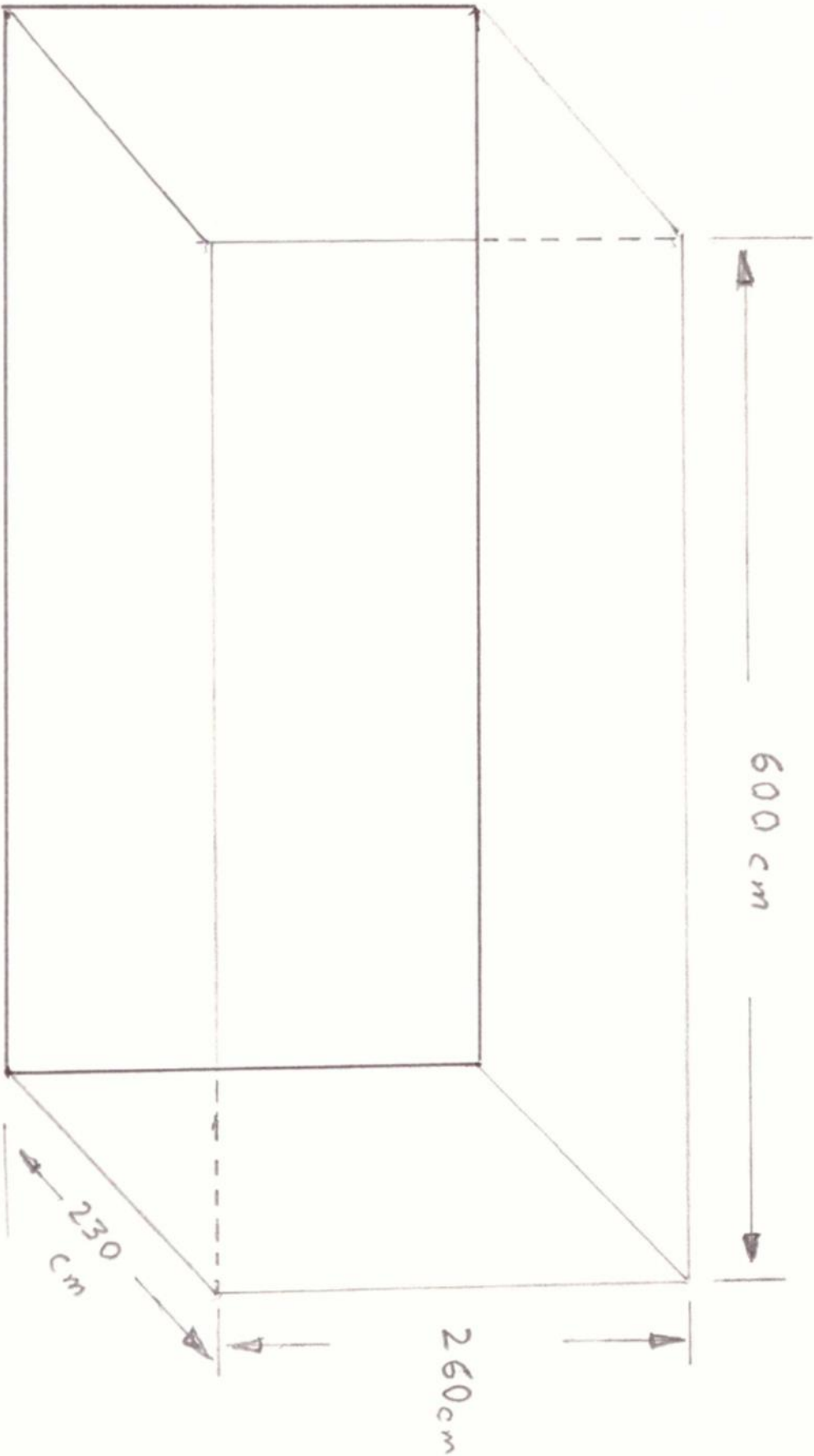
No alcohol tor cigarette sell and no other activities to harm children. Also security camera will be additional safety measure along with premise supervisor being in the premise during licensed working hours.

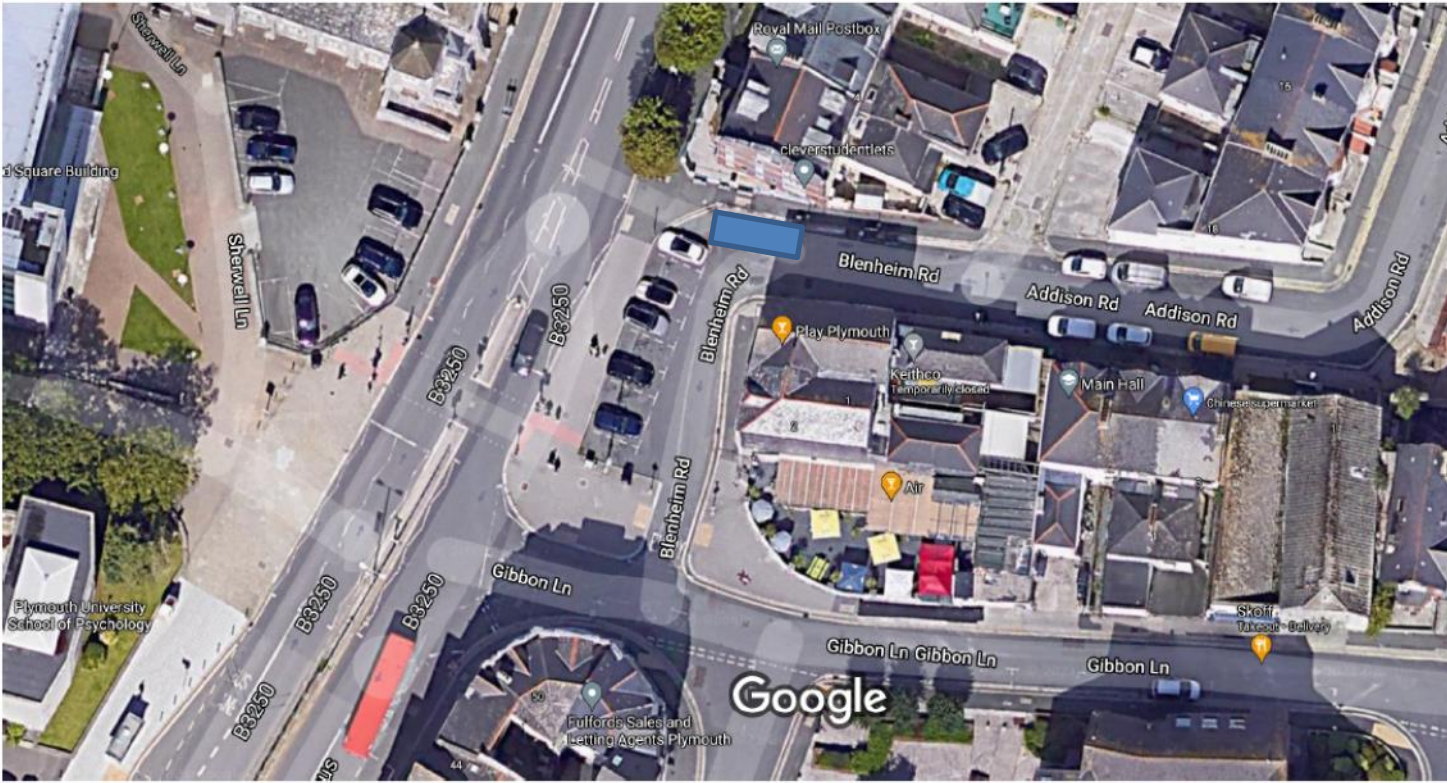
Appendix 2





Size





## Appendix 5

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 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
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**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**

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

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**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](mailto: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
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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](http://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
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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.

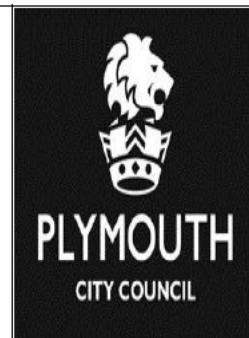
Regards

**Will Tomkins**

Environmental Health Officer  
Public Protection Service

## Appendix 8

# LICENSING REPRESENTATION



**Case reference: FS-Case-349614389**

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

div>

<b>Name:</b>	Cllr Margaret Corvid
<b>Telephone number:</b>	
<b>Mobile number:</b>	
<b>Email address:</b>	
<b>Address:</b>	
Representation details	
<b>Which of the following Licensing Objectives is this representation relevant to:</b>	A. The prevention of crime and disorder, C. The prevention of public nuisance
<b>Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:</b>	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.
<b>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</b>	No



Appendix 9
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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
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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, + Burger's Us 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 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 others.

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.

## Appendix 14

Councillor Chaz Singh

Drake Ward

8<sup>th</sup> 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

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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

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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	
	PostcodePLI 3BJ
I am	
<input type="checkbox"/> Representative of residents association	<input type="checkbox"/> Representative of trade/business association
<input type="checkbox"/> Ward Councillor	√ Other (please specify)
<input type="checkbox"/> 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.

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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.

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## Appendix 17

# LICENSING REPRESENTATION



**PLYMOUTH**  
CITY COUNCIL

**Case reference: FS-Case-349364311**

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

div>

<b>Name of business, body or group:</b>	The Caffeine Club
<b>Name:</b>	
<b>Telephone number:</b>	
<b>Mobile number:</b>	
<b>Email address:</b>	caffeineclub@outlook.com
<b>Address:</b>	46 Tavistock Place, Plymouth, Devon, PL4 8AX
Representation details	
<b>Which of the following Licensing Objectives is this representation relevant to:</b>	A. The prevention of crime and disorder, B. Public safety, C. The prevention of public nuisance
<b>Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:</b>	<p>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.</p> <p>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.</p>

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	