



## LICENSING SUB-COMMITTEE

**To:** Councillors Benstead, Bird and Meftah

*Despatched: Friday, 4 September 2015*

**Date:** Monday, 14 September 2015

**Time:** 10.00 am

**Venue:** Committee Room 1 & 2 - Guildhall

**Contact:** Sarah Steed

**Direct Dial:** 01223 457013

### AGENDA

- 1 **Appointment of a Chair**
- 2 **Declarations of Interest**
- 3 **Meeting Procedure**
- 4 **Super Kebab, 70 King Street, Cambridge, CB1 1LN** Licensing Officer  
*(Pages 7 - 36)*

To determine a new premises licence application.

# Information for the Public

**Location** The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

**Public Participation** Some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

To speak at a Licensing hearing, you must have made a representation during the consultation period on the relevant application and registered your intention to speak with Democratic Services prior to the hearing.

The Licensing department can be contacted on 01223 457000 or [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk).

For general advice about speaking at committees please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**Filming, recording and photography** The Council is committed to being open and transparent in the way it conducts its decision making. The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public.

Anyone who does not want to be recorded should let the Chair of the meeting know. Those recording meetings are strongly urged to respect the wish of any member of the public not to be recorded.

- Fire Alarm** In the event of the fire alarm sounding please follow the instructions of Cambridge City Council staff.
- Facilities for disabled people** Level access to the Guildhall is via Peas Hill.
- A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.
- Accessible toilets are available on the ground and first floor.
- Meeting papers are available in large print and other formats on request prior to the meeting.
- For further assistance please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).
- Queries on reports** If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or <http://democracy.cambridge.gov.uk/>
- General Information** Information regarding committees, councilors and the democratic process is available at [www.cambridge.gov.uk/democracy](http://www.cambridge.gov.uk/democracy).
- Mod.Gov App** You can get committee agenda and reports for your tablet by using the mod.gov app

## Licensing Act 2003 - Licensing Sub-Committee: Hearings Procedure

### Preliminary Matters

1. **The Chair** will commence the hearing by introducing him/herself, the other two members of the Sub-Committee and the officers present.
2. **The Chair** will ask the applicant(s)/the responsible authorities/the interested parties present, and their representatives (if applicable), to introduce themselves and identify their interest in the proceedings.

### Failure of a party to attend the hearing

3. If a party has informed the licensing authority that he/she does not intend to attend or be represented at a hearing, the hearing may proceed in his/her absence.
4. If a party who has not so indicated fails to attend or be represented at a hearing, the Sub-Committee may –
  - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
5. Where the Sub-Committee holds the hearing in the absence of a party, the Sub-Committee will consider at the hearing the application, representations or notice made by that party.
6. **The Chair** will explain the procedure to be followed at the hearing and will confirm whether the Sub-Committee must reach its decision at the end of the hearing or within 5 working days of the hearing, depending on the application being heard.
7. **The Clerk to the Sub-Committee** will indicate whether any party has requested permission for any other person(s) (other than his/her representative) to appear at the hearing to assist the Sub-Committee in relation to the application, representations or notice of the party making the request. The Sub-Committee will decide whether to grant permission to allow any other person(s) to appear at the hearing on behalf of the party; such permission will not be unreasonably withheld.
8. **The Clerk to the Sub-Committee** will ask whether any party is seeking to introduce any document(s) or other information not previously disclosed to all the other parties to the hearing and the licensing authority. If all the other parties consent, the previously undisclosed document(s) or other information can be produced by a party in support of their application, representations or notice (as applicable).
9. The hearing will take the form of a discussion led by the Chair of the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers that cross-examination is required to consider the representations, application or notice as the case may require.
10. The Sub-Committee will consider any requests to permit cross-examination on

a case-by-case basis. When permission is given to one party, it will also normally be extended to all other parties.

11. The Sub-Committee will decide the equal maximum period of time that each party will have to present their case.

## **The Hearing**

12. *The Licensing Officer will present the report to the Sub-Committee.*

13. Members may ask any relevant questions of the Licensing Officer.

14. *The applicant, or the party who has initiated the hearing, will present their case first.*

15. The party shall be entitled to:

(a) give further information in support of their application, representations or notice (as applicable) in response to a specific request by the licensing authority prior to the hearing;

(b) question any other party (if permission has been given by the Sub-Committee);

(c) address the Sub-Committee.

16. If the Police are a party to the hearing, they will present their case. The Police have the rights listed in paragraph 15 (a) – (c) above.

17. If any other “responsible authority” are a party to the hearing, they will present their case in turn after the Police and have the rights listed in paragraph 15 (a) – (c) above.

18. Any other interested parties will then present their case in turn and have the rights listed in paragraph 15 (a) – (c) above.

19. Members of the Sub-Committee may ask questions of the/each party or any other person permitted to appear at the hearing in support of the party.

20. **The Chair** will invite the applicant, or the party who has initiated the hearing, and any parties making representations, to briefly summarise their points if they wish.

21. **The Chair** will ask the applicant, or the party who has initiated the hearing, and all parties making representations, that they are satisfied that they have said all they wish to.

## **The Decision**

22. In considering any representations or notice made by a party, the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

23. In reaching its decision, the Sub-Committee will disregard any information given by a party, or any person who has been permitted to appear at the hearing, which is not relevant to –

(a) the application, representations or notice (as applicable) or in the case of another person, the application, representations or notice of the party

requesting their appearance, and

(b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by the Police, the crime prevention objective.

24. The Sub-Committee may consider its decision in private and may move into private session where it considers that the public interest in so doing outweighs the public interest in that part of the hearing taking place in public. If the Sub-Committee do move into private session then all the parties and their representatives, any other person permitted to appear at the hearing, officers, the public and the press will be asked to leave the room whilst the decision is made.

**The Chair** will tell those present at the meeting the decision taken by the Sub-Committee and the reasons for the decision.

CAMBRIDGE CITY COUNCIL

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REPORT OF: Assistant Licensing Officer

TO: Licensing Sub-Committee

14/09/2015

WARDS: Market

**CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE  
TO BE GRANTED: SUPER KEBAB, 70 KING STREET, CAMBRIDGE,  
CB1 1LN.**

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**1 INTRODUCTION**

1.1 An application under section 17 of the Licensing Act 2003 for a Premises Licence to be granted in respect of Super Kebab, 70 King Street, Cambridge, CB1 1LN has been received by Cambridge City Council from Mr Deniz Karakaya on 23<sup>rd</sup> June 2015. The application and plans of the premises are attached to the report as Appendix A. A copy of the application was served on each responsible authority.

1.2 The applicant is seeking a new premises licence for the following:

Provision of Late Night Refreshment (Indoors and Outdoors)

Sun – Thurs (inclusive)	23:00 to 23:30
Fri – Sat (inclusive)	23:00 to 00:00

1.3 The application needs to be determined.

**2. RECOMMENDATIONS**

2.1 That Members' determine the application on its individual merits having reference to the statutory licensing objectives and Cambridge City Council's Statement of Licensing Policy.

**3. BACKGROUND**

3.1 The applicant has indicated in section M of the application form

(Appendix A) that a number of steps will be taken to promote the four licensing objectives.

3.2 In accordance with the regulations of the Act, the application was advertised on the premises and in the Cambridge News to invite representations from responsible authorities and other persons. The last date for submitting representations was the 21 July 2015.

3.3 A representation has been received from Environmental Health as per Appendix B. Environmental Health has agreed condition 1 with the applicant in relation to the collection from and or deliveries to the premises. However, Environmental Health and the applicant could not agree condition 2 in relation to the provision of a WC.

3.4 The Police have agreed conditions with the applicant (Appendix C).

3.5 The following list of conditions is a combination of those offered by the applicant, Environmental Health and the Police. If the sub-committee is minded to grant the premises licence, it can decide to attach all, or any of these conditions they feel will help with the promotion of the four licensing objectives:

1. Fire exit signs will be clearly displayed and portable firefighting equipment will be accessible.
2. No alcohol or tobacco products will be on sale on the premises.
3. Collections from and/ or deliveries to the premises, shall only take place between the hours of 07:00 and 23:00. This shall include the placing of waste, including bottles, into waste receptacles outside the premises and the emptying of waste receptacles by a waste contractor.
4. Digital CCTV, with appropriate recording equipment, shall be installed, operated and maintained.

- The system shall be operational and live at all times when licensable activity is taking place.

- Images shall be recorded and shall display accurate dates and times (including changes at the start and end of British Summer Time) and shall be capable of recording a clear facial image of persons entering and leaving the premises under all light conditions.

- Images recorded shall be retained for a minimum of 31 days and shall be made available to authorised officers and police officers in the event that CCTV footage is requested for the purpose of the prevention or detection of crime or offences and show officers recent data or footage on request.

- Staff shall also be trained and able to download images from the system on to other relevant media.

5. Glassware and glass bottles are not to be supplied to customers.
6. Prominent and Legible notices shall be displayed at all exits, requesting patrons to leave the premises and area quietly, so as to respect the needs of local residents.
7. The licence holder shall devise and implement a policy for the dispersal of patrons who seek to congregate outside the premises and this shall include consideration as to when to seek police assistance.
8. Staff shall remind patrons to park considerately and not to leave engines running.
9. Staff, including delivery staff, should ensure they park considerately and not to leave engines running.
10. The licence holder shall join the CAMBAC Nightsafe scheme (whilst the scheme is in existence) and shall be able to demonstrate active support for its work, including use of banning policies and regular attendance at meetings, either personally or by proxy.
11. Children under the age of 17 years shall not be permitted to enter or remain in the premises after 23:00, unless they are accompanied by an adult.
12. A written or electronic incident log shall be kept and maintained at the premises and be made available to an authorised officer or police officer upon request. Staff will be trained in the completion of this.

3.6 The condition that has not been agreed is:

“Late night refreshment shall not take place until a suitable water closet (WC) has been installed and the Environmental Health Manager has confirmed in writing that it is satisfactory.

The WC shall:

- Be wheelchair accessible
- Have a wash hand basin with hot and cold running water and soap
- Have a lockable door
- A facility for drying hands
- Be clean and fit in every way for public use
- Have a ventilated lobby between the WC and the food preparation area

Late night refreshment shall not take place if the WC is unavailable or unfit for use.”

3.7 The premises are located within a cumulative impact area. It is therefore subject to a special policy on cumulative impact. The special policy creates a rebuttable presumption that applications within cumulative impact areas for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the

operation of the premises involved will not add to the cumulative impact already being experienced. The cumulative impact policy has been referred to in the representations but has not been addressed explicitly in the application.

3.7 The Council's Statement of Licensing Policy contains information on the cumulative impact.

3.8 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy and additionally the statutory guidance issued under Section 182 of the Licensing Act 2003. The relevant sections from the Council's Statement of Licensing Policy are:

- Objectives, section 2
- Fundamental principles, section 4
- Cumulative impact, section 5
- Licensing Hours, section 6
- Licence Conditions, section 8

#### **4. CONSULTATIONS**

4.1 The Licensing Act 2003 requires applications made under section 17 of the Act to be served on the Responsible Authorities and also advertised on the premises and in a local newspaper circulating within the vicinity of the premises. During the consultation period, Responsible Authorities and Other Persons (any individual, body or business entitled to make representations to licensing authorities) may make a representation in respect of the application.

4.2 Statutory consultation has therefore taken place with Responsible Authorities and interested parties in accordance with the procedures set out in the Licensing Act 2003 and associated regulations made under the Act.

#### **5. OPTIONS**

5.1 Whilst having reference to the information provided by the applicant and the interested party and also Cambridge City Council's Statement of Licensing Policy, the Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

5.2 Members should take such steps that they consider are necessary

for the promotion of the licensing objectives. The Sub-Committee may resolve:

- (a) to grant the licence subject to the mandatory conditions and such conditions as members consider necessary for the promotion of the licensing objectives,
- (b) to refuse to grant the application.

5.3 Members must give reasons for their decision.

## **6. CONCLUSIONS**

6.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, and the Statutory Guidance under the Licensing Act 2003 and it is bound by the Human Rights Act 1998. The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge.

## **7. IMPLICATIONS**

### **a) Financial Implications**

Cambridge City Council (the Licensing Authority) has a statutory duty to determine applications made under the Licensing Act 2003. The application fees associated with such applications are set by Central Government and are intended to cover the cost of administering the licensing regime.

There are no specific financial implications associated with this report.

### **(b) Staffing Implications**

There are no staffing implications associated with this report.

### **(c) Equal Opportunities Implications**

No Equality Impact Assessment has been conducted as the only consideration in reaching a decision is whether the granting of the application will undermine the statutory licensing objectives.

### **(d) Environmental Implications**

Any environmental implications that need to be considered must specifically relate to the promotion of the statutory licensing objectives and will be contained in the representations made by the responsible authorities or interested parties.

(e) **Community Safety**

Cambridge Constabulary, Cambridgeshire Fire & Rescue Service, Cambridge City Council's Environmental Health Team, Cambridge City Council's Planning Service, Cambridgeshire County Council's Child Protection & Review Unit, Cambridgeshire County Council's Trading Standards Department and the Public Health Director were consulted as part of the application process and could have made representation if it was considered that the granting of the application would undermine one or more of the statutory licensing objectives.

Those making representations would have raised any relevant community safety implications.

**8. BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

[Licensing Act 2003](#)

[The Licensing Act 2003 \(Premises licences and club premises certificates\) Regulations 2005](#)

[Guidance issued under section 182 of the Licensing Act 2003](#)

[The Council's Statement of Licensing Policy](#)

To inspect these documents either view the above hyperlinks or contact Victoria Jameson on extension 7863

The author and contact officer for queries on the report is Victoria Jameson on extension 7863.

Report file:

Date originated: 13 August 2015

Date of last revision: 13 August 2015

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We DENIZ KARAKAYA

*(Insert name(s) of applicant)*

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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description 70 King Street Cambridge			
<b>Post town</b>	Cambridgeshire	<b>Postcode</b>	<b>CB1 1LN</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£11,000</b>

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

Please tick yes

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

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

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

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	1	072015

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
 I am currently running a Kabab takeaway and restaurant at the above premises daily from 09.00 to 23.00.  
 I intend to serve late night refreshments to the public from Monday to Thursday from 09.00 to 23.30,  
 Friday to Saturday from 09.00 to 00.00 and Sunday from 09.00 to 23.00.

I will use my best endeavours to make sure that these trading hours will not cause any destruction to the community and will comply fully with the licensing objectives. To promote the prevention of crime and disorder I will install CCTV both inside and outside the premises and display crime prevention notices. To promote public safety along with the above I will display fire exit signs, make accessible portable fire fighting equipment. Arrange seating in order that customers will safely exit the premises in case of a fire. To promote the prevention of public nuisance I will display signs requesting my customers to leave quietly. To promote the protection of children from harm I will make sure that if there is any trouble being caused nearby I will contact the police. I will not be selling alcohol or tobacco of any sort as i am running a takeaway.

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

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

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

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

**E**

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

**F**

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

# G

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon	23.00	23.30						
Tue	23.00	23.30						
Wed	23.00	23.30				<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	23.00	23.30						
Fri	23.00	00.00				<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	23.00	00.00						
Sun	23.00	23.00						

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Mon					
Tue					

Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	23.30	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)
Tue	09.00	23.30	
Wed	09.00	23.30	
Thur	09.00	23.30	
Fri	09.00	00.00	
Sat	09.00	00.00	
Sun	09.00	23.00	

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

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

As below

**b) The prevention of crime and disorder**

CCTV shall be in use at the premises.

- (1) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. (2) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards. (3) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority.
- (2) Crime prevention notices will be displayed.

**c) Public safety**

- (1) fire exit signs will be displayed
- (2) Portable fire fighting equipment will be available.
- (3) Correct seating arrangements in order that customers will safely exit the premises in case of a fire.

**d) The prevention of public nuisance**

Signs will be displayed requesting customers to leave quietly

**e) The protection of children from harm**

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**Checklist:**

**Please tick to indicate agreement**

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

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	Deniz Karakaya
Date	23/06/2015
Capacity	

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

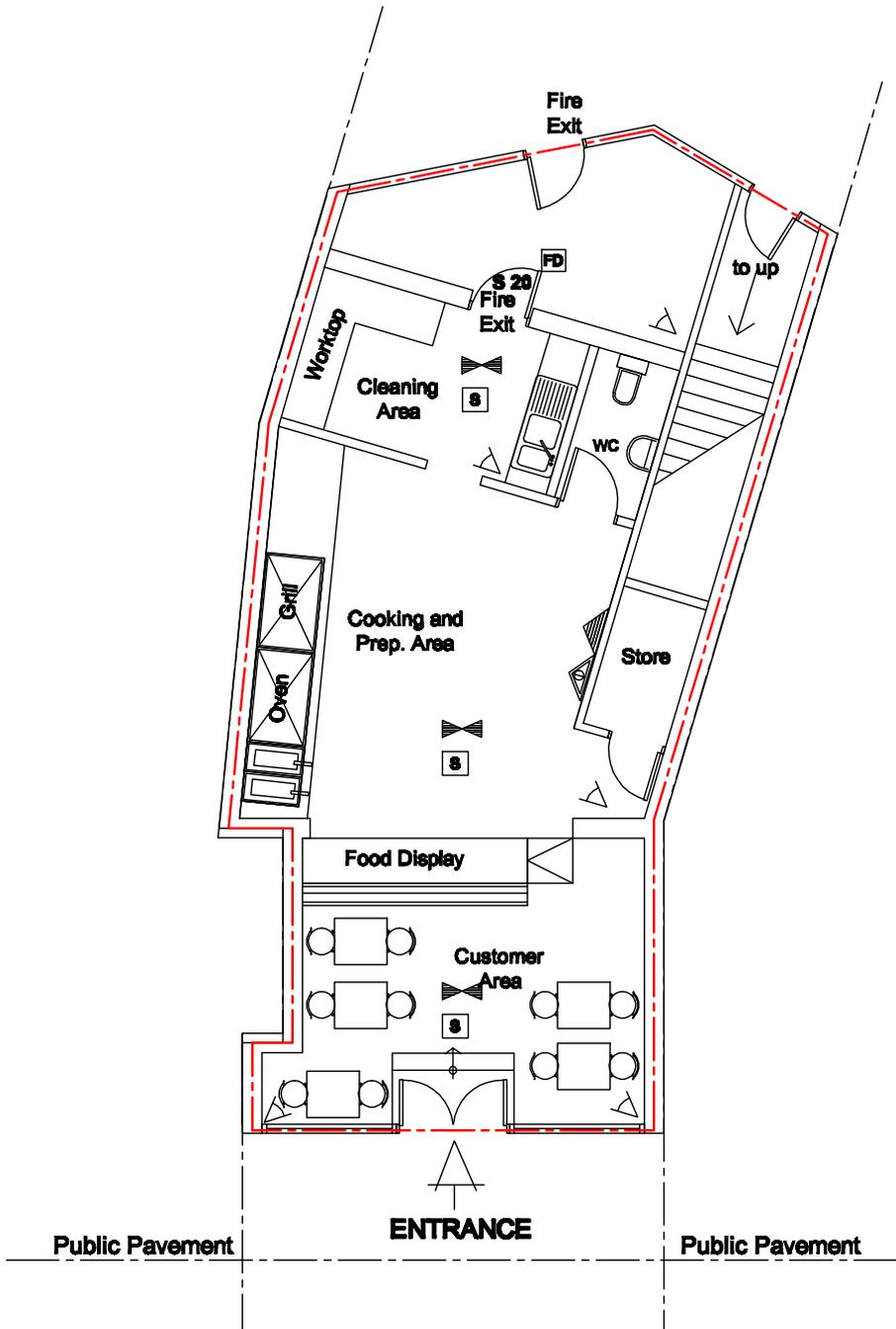
██████████

### Notes for Guidance

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

## LEGEND

-  **AMBIT OF LICENSED PREMISES**
-  **SAFETY LIGHTS**
-  **S** **SMOKE DETECTOR**
-  **CARBON DIOXIDE FIRE EXTINGUISHER**
-  **9 LT. WATER FIRE EXTINGUISHER**
-  **S 20** **FIRE ESCAPE KEEP CLEAR**
-  **CCTV**
-  **S 22** **INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)**
-  **FB** **FIRE BLANKET**
-  **FAN 6lt/s**
-  **FIRE ALARM BELL**
-  **FD** **FIRE DOOR**
-  **FIRE SWITCH PANEL**



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 ■ [www.alkogroup.co.uk](http://www.alkogroup.co.uk) ■

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PROJECT : PREMISES PLAN

DRAWING TITLE: Floor Plan

PROJECT ADDRESS :70 King Street  
Cambridge, CB1 1LN

SCALE : 1:100 @ A4      DATE : Dec./2014

PROJECT No : SH14-01

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**LICENSING ACT 2003  
ENVIRONMENTAL HEALTH REPRESENTATION FORM**

To: **Licensing & Enforcement Manager**  
From: **Environmental Health Manager**  
Premises: **Super Kebab, 70 King Street, CAMBRIDGE**  
Reference: **WK/201518786**

**REPRESENTATION**

Cambridge City Council Environmental Health hereby raises a representation against the application for a premises licence for late night refreshment at Super Kebab, 70 King Street, CAMBRIDGE as the responsible authority for Environmental Health.

Environmental Health has been unable to agree conditions with the applicant

The application will negatively impact the two licensing objectives of the prevention of public nuisance and the prevention of crime & disorder.

The application is in a cumulative impact area and the applicant has not rebutted the presumption to refuse.

**Background**

This application is a result of enforcement activity by the Licensing and Enforcement team.

I sent the attached letter dated 24 June to the applicant suggesting two conditions, one for noise from waste collections & deliveries and second requiring a toilet. In a telephone conversation on 29 June the applicant has agreed to the condition about noise from waste collections but had not agreed to the condition requiring a toilet.

**Location**

King Street is in the cumulative impact area. The area was defined due to the high concentration of licensed premises causing cumulative impact of crime & disorder and public nuisance. Any application for a new or varied premises licence in the cumulative impact area should be refused unless the applicant can show that they will not add to the cumulative impact.

**Restriction of Hours of Deliveries and Collections**

Noise at night or early in the morning from deposition of waste in bins and collection of bins and deliveries is frequent cause of complaint from residents living near licensed premises. To prevent this nuisance we have the following standard condition. The applicant has agreed to this condition verbally.

1. Collections from and or deliveries to the premises, shall only take place between the hours of 07:00 and 23:00. This shall include the placing of waste, including bottles, into waste receptacles outside the premises and the emptying of waste receptacles by a waste contractor.

### **Toilet Required**

There are problems with public urination, defecation and vomiting in the cumulative impact area. This is evidence by the urine, faeces and vomit left in the area.

Public urination is a common law public nuisance as well as being an offence of, "Disorderly behaviour," under the 1986 Public Order Act.

The excessive consumption of food and drink increases the need to urinate and defecate and the likelihood that people will vomit. If no toilet is available this will take place either in the street or private yards or gardens and will cause a nuisance.

To avoid this any premises providing late night refreshment should have a toilet for the use of its customers. I have suggested the following condition:

2. Late night refreshment shall not take place until a suitable water closet (WC) has been installed and the Environmental Health Manager has confirmed in writing that it is satisfactory.

The WC shall:

- Be wheelchair accessible
- Have a wash hand basin with hot and cold running water and soap
- Have a lockable door
- A facility for drying hands
- Be clean and fit in every way for public use
- Have a ventilated lobby between the WC and the food preparation area

Late night refreshment shall not take place if the WC is unavailable or unfit for use.

The applicant has objected to this condition stating that he has been operating the business already without either planning permission or a premises licence and no one has requested to use the toilet. He also said that installing a toilet would cost too much money.

I believe providing a toilet is reasonable requirement for any premises providing late night refreshment.

### **RECOMMENDATION**

The application for a premises licence could be approved with the two conditions I have suggested.

Signed  Date 13 July 2015

Daniel S J Bayles  
Environmental Health Officer  
(Licensing & Enforcement)

**From:** Clare Metcalfe  
**Sent:** 20 July 2015 13:49  
**To:** Luke Catchpole; licensing  
**Cc:** SUNA HAZAR; Pete Sinclair  
**Subject:** Proposed conditions for premises licence - Super Kebab, Cambridge

Dear Luke,

Please find below the attached proposed conditions for Super Kebab, Cambridge. Ms. Hazar has confirmed that her client is pleased to accept these conditions if/when the licence is issued. I am sure she will confirm this with you on receipt of this email.

Proposed conditions for premises licence - Super Kebab, Cambridge

**Prevention of Crime and Disorder**

1. The licence holder shall provide and maintain a suitable and sufficient CCTV surveillance system that produced images of sufficient quality for identification. Image shall be retained for 31 days and made available to the Police upon request. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy with GMT.
2. Glassware or glass bottles are not to be supplied to customers.

**Prevention of Public Nuisance**

3. Prominent, clear and legible notices shall be displayed at the exit, requesting patrons departing to respect the needs of local residents and to leave the premises and the area quietly. Staff shall remind any noisy customers to respect the needs of local residents and to be quiet.
4. Patrons will be actively discouraged from congregating outside the front of the premises.
5. Staff shall remind patrons to park considerately and not to leave engines running.
6. Staff, including delivery staff should ensure they park considerately and not to leave engines running.
7. The License Holder will join the Cambac Nightsafe scheme and support its aims and objectives. This includes support of its agreed banning policy and attending meetings; personally or by sending an authorised representative of the venue. The condition is only binding whilst the Nightsafe scheme is in existence.

**The protection of children from harm**

8. Children who are below the age 17 years old that frequent the premises during the hours when late night refreshment is provided must be in the company of an adult.

## Public Safety

9. An incident book is kept on the premises and staff are trained in the completion of this. Incident reports containing the names and details of offenders will be passed to the City Cambac manager.

End of Conditions.

Due to the acceptance of these conditions for the Premises Licence the police will not be making a representation in relation to this application.

Kind regards,

*Clare Metcalfe*

Police Constable – PC 0446  
Cambridgeshire Constabulary.

Cambridge Licensing Officer,  
Parkside Police Station.  
Parkside,  
Cambridge,  
Cambridgeshire,  
CB1 1JG.



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<http://www.cambs-police.co.uk/index.asp>

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