



Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200
Fax No: 01268 882455



David Marchant LLB (Hons) BSc (Hons) CEng FICE FCMI
Chief Executive

AGENDA

Committee:	LICENSING SUB-COMMITTEE
Date and Time:	Monday 27th March 2017 at 10.30am
Venue:	Council Chamber
Membership:	Councillors Acott, MacLean and Mumford
Officers attending:	Mel Harris - Head of Licensing and Safer Communities Andrew Smith – Corporate Legal Adviser
Committee Enquiries:	Cheryl Salmon, Ext. No. 2454

PART I **(Business to be taken in public)**

- 1. Appointment of Chairman**
- 2. Procedure for the Sub-Committee (as attached)**
- 3. Application for a Premises Licence under Section 17 of the Licensing Act 2003 made by Tasty Bites, 275-277 High Road, Benfleet, Essex, SS7 5HA**
- 4. Decision**

Agendas and Minutes can be viewed at www.castlepoint.gov.uk
Copies are available in larger print & audio format upon request
If you would like a copy of this agenda in another language or alternative format:
Phone: 0207 520 1431 or email translations@languageline.co.uk



PROCEDURE FOR SUB-COMMITTEE

1. Introductions

- a. Chairman introduces Panel Members to the applicant.
- b. Chairman identifies officers and their roles.
- c. Applicant identifies themselves, any representative and any accompanying persons. They also identify who intends to present the case.
- d. Relevant Responsible Authorities identify themselves.
- e. Interested Parties identify themselves.

2. Case summary by Head of Licensing and Safer Communities

See agenda item No. 3

3. The Relevant Responsible Authority(s) Submission

- a. The Relevant Responsible Authority(s) and any witnesses will submit to the Panel the reasons for the hearing in the case before them.
- b. Opportunity for the applicant or representative to question the relevant responsible authority(s) and witnesses on their submissions (note: this is an opportunity to ask questions arising from the submissions – not to make statements – an opportunity comes later when summing up).
- c. Opportunity for Panel Members to question the Relevant Responsible Authority(s) and witnesses on their submission.

4. Interested Parties Submission (if any)

- a. Any interested parties will submit to the Panel the reasons for the hearing in the case before them.
- b. Opportunity for the applicant and the relevant responsible authority(s) to question the interested parties on their submissions.
- c. Opportunity for Panel Members to question the interested parties and witnesses on their submission.

5. The Applicant's Submission

- a. The applicant or their representative will submit their case (to include consideration of any written representations). Witnesses may be called.

- b. Opportunity for relevant responsible authority, followed by interested parties (if any) to question the applicant and any witnesses on their submission(s).
- c. Opportunity for Panel to question the applicant and any of their witnesses on their submission(s).

6. Questions from Panel

Opportunity for any final questions from Panel to either side.

7. Adjournment

Proceedings will be adjourned while the Panel withdraw to consider its decision. During this time the Clerk will accompany the Panel to record the decision. The Committee may request the presence of the Legal Advisor to give them legal advice.

8. Decision

The Panel will reconvene and the Chairman will announce the decision, and:-

- 1. If approved, give details of any conditions attached to the licence (if any)
- 2. If refused, give the reasons for refusal
- 3. Inform the applicant of their rights of appeal

9. Conclusion

The Chairman will close the proceedings

Contents	Page
Report of the Head of Licensing and Safer Communities	1
Appendix 1 Copy of application for a Premises Licence to be granted under the Licensing Act 2003 by Ahmet Ozdemir	9
Appendix 2 Blue Notification (Public Notice)	29
Appendix 3 Location Plan for local businesses and Tasty Bites restaurant	31
Appendix 4 A copy of the representation from Environmental Health	33
Appendix 5 A copy of letter from Essex Police	35
Appendix 6 An extract of the Statement of Licensing Policy	37

LICENSING SUB COMMITTEE

27th March 2016

Subject: Application for a Premises Licence under Section 17 of the Licensing Act 2003 made by Tasty Bites, 275-277 High Road, Benfleet, Essex, SS7 5HA

Report of: Head of Licensing and Safer Communities – Melanie Harris

1. Purpose of Report

To consider an application for a Premises Licence to sell/supply alcohol and provide regulated entertainment at Tasty Bites restaurant, 275-277 High Road, Benfleet, Essex, SS7 5HA.

2. Background

2.1 The application has been submitted to all the Relevant Responsible Authorities as follows:

- Licensing Department
- Essex Police
- Essex County Fire & Rescue Service
- Planning Services
- Environmental Health Service
- The Health & Safety Executive
- Children's Safeguarding Service (Essex County Council)
- Essex Trading Standards
- Director of Public Health (Essex County Council)

2.2 Details of the application were also advertised on the Council's website and blue notices displayed on lampposts near to the premises.

3. Application

3.1 The application is for the following provisions:

- Opening hours – 08.00hrs to 23.00hrs
- Performance of live music (indoors) Monday to Sunday 11:00hrs to 23:00hrs

- The supply of alcohol on the premises Monday to Sunday 11:00hrs to 23:00hrs.
- 3.2 It should be noted that under a change in regulations whilst the applicant has applied for a licence for the performance of live music; (or the playing of recorded music) a licence is not required to stage this if:
- It takes place between 08.00hrs and 23:00hrs
 - It takes place at an alcohol on-licensed premises; and
 - The audience is no more than 500 people
- 3.3 Therefore the applicant does not have to specify this requirement.
- 3.4 A copy of the application is attached at Appendix 1 of the report
- 3.5 A copy of the blue notice is attached at Appendix 2 of the report

4. Other premises in the High Road Benfleet licensed by Castle Point Borough Council to sell/supply alcohol

- 4.1 The vicinity in which the application is made is a busy shopping and entertainment centre. There are 12 licensed premises within a quarter of a mile of the premises in existence and the Licensing Authority has not received any complaints from residents or the Police or other Relevant Authorities with respect to these businesses. These are:

	Licensed Premises	Licensable Activities Authorised by the Licence
1	Benfleet Tavern Richmond Avenue	<p>Opening hours – Monday to Sunday 10.00hrs to 00.30hrs</p> <p>B. Exhibition of films (indoors) Monday to Sunday 10.00hrs to Midnight</p> <p>C. Indoor sporting event Monday to Sunday 10.00hrs to Midnight</p> <p>E. Performance of live music (indoors) Monday to Sunday 10.00hrs to Midnight</p> <p>G. Performance of dance (indoors) Monday to Sunday 10.00hrs to Midnight</p> <p>I. Provision of facilities for making music (indoors) Monday to Sunday 10.00hrs to Midnight</p>

	Licensed Premises	Licensable Activities Authorised by the Licence
		<p>J. Provision of facilities for dancing (indoors) Monday to Sunday 10.00hrs to Midnight</p> <p>L. Late night refreshment (indoors) Monday to Sunday 23.00hrs to Midnight</p> <p>M. The sale by retail of alcohol for consumption on and off the premises Monday to Sunday 10.00hrs to Midnight</p>
2	Anatolian Restaurant 311 High Road	<p>Opening hours – Monday to Sunday 11.00hrs to 02.00hrs</p> <p>F. Playing of recorded music (indoors) Monday to Sunday 11.00hrs to 01.30hrs</p> <p>L. Late night refreshment (indoors) Monday to Sunday 23.00hrs to 02.00hrs</p> <p>M. The sale by retail of alcohol for consumption on the premises only Monday to Sunday 11.00hrs to 01.00hrs</p>
3	Amala Restaurant 303 High Road	<p>Opening hours – Monday to Sunday 11.00hrs to 00.30hrs</p> <p>F. Playing of recorded music (indoors) Monday to Sunday 11.00hrs to 00.30hrs</p> <p>L. Late night refreshment (indoors and outdoors) Monday to Sunday 23.00hrs to 00.30hrs</p> <p>M. The sale by retail of alcohol for consumption on the premises only Monday to Sunday 11.00hrs to 00.30hrs</p>
4	Coop 289-291 High Road	<p>Opening hours Monday to Saturday 07.00hrs to 23.00hrs Sunday 07.00hrs to 22.30hrs</p> <p>M. The sale by retail of alcohol for consumption off the premises only Monday to Saturday 08.00hrs to 23.00hrs Sunday 10.00hrs to 22.30hrs</p>

	Licensed Premises	Licensable Activities Authorised by the Licence
5	SR News 263 High Road	<p>Opening hours – Monday to Sunday 06.00 to 22.00</p> <p>M. The sale by retail of alcohol for consumption off the premises only Monday to Sunday 06.00hrs to 22.00hrs</p>
6	Cherry Leaf Restaurant 261a High Road	<p>Opening hours – Monday to Sunday 12.30hrs to Midnight</p> <p>F. Playing of recorded music (indoors) Monday to Sunday 11.00hrs to Midnight</p> <p>M. The sale by retail of alcohol for consumption on the premises only Monday to Saturday 11.00hrs to Midnight Sunday Noon to 23.30hrs</p>
7	Richmond Hall High Road	<p>Opening hours – Monday to Sunday 10.00hrs to 01.30hrs</p> <p>A. Performance of a play (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>B. Exhibition of films (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>C. Indoor sporting event Monday to Sunday 10.00hrs to 01.00hrs</p> <p>D. Boxing or wrestling entertainment (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>E. Performance of live music (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>F. Playing of recorded music (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>G. Performance of dance (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>H. Entertainment of a similar description to that falling within E, F or G (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>I. Provision of facilities for making music (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p>

	Licensed Premises	Licensable Activities Authorised by the Licence
		<p>J. Provision of facilities for dancing (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>K. Provision of facilities for entertainment of a similar description to that falling within I or J (indoors) Monday to Sunday 10.00hrs to 01.00hrs</p> <p>L. Late night refreshment (indoors) Monday to Sunday 23.00hrs to 01.00hrs</p> <p>M. The sale by retail of alcohol for consumption on the premises only Monday to Sunday 10.00hrs to 01.00hrs</p>
8	Pizza Hut 225 High Road	<p>Opening hours Sunday to Thursday Noon to Midnight Friday and Saturday Noon to 01.00hrs</p> <p>L. Late night refreshment (indoors) Sunday to Thursday 23.00hrs to Midnight Friday and Saturday 23.00hrs to 01.00hrs</p>
9	Budgens 248-250 High Road	<p>Opening hours Monday to Sunday 07.00hrs to 22.00hrs</p> <p>M. The sale by retail of alcohol for consumption off the premises only Monday to Sunday 07.00hrs to 22.00hrs</p>
10	Kents Hill Filling Station 280 High Road	<p>Opening hours – Monday to Sunday Midnight to Midnight</p> <p>M. The sale by retail of alcohol for consumption off the premises only Monday to Sunday 06.00hrs to 23.00hrs</p>
11	Frankies Rain and Shine 302 High Road	<p>Opening hours (previously) Sunday to Thursday 08.00hrs to 23.30hrs Friday and Saturday 08.00hrs to 01.00hrs</p> <p>E. Performance of live music (indoors) Sunday to Thursday 11.00hrs to 23.00hrs Friday and Saturday 11.00hrs to 00.30hrs</p> <p>F. Playing of recorded music (indoors) Sunday to Thursday 11.00hrs to 23.00hrs Friday and Saturday 11.00hrs to 00.30hrs</p>

	Licensed Premises	Licensable Activities Authorised by the Licence
		<p>G. Performance of dance (indoors) Sunday to Thursday 11.00hrs to 23.00hrs Friday and Saturday 11.00hrs to 00.30hrs</p> <p>L. Late night refreshment (indoors) Friday and Saturday 23.00 to 00.30hrs</p> <p>M. The sale by retail of alcohol for consumption on and off the premises Sunday to Thursday 11.00hrs to 23.00hrs Friday and Saturday 11.00hrs to 00.30hrs</p>
12	Sainsbury Local 308-314 High Road	<p>Opening hours – Monday to Sunday Midnight to 11.59pm</p> <p>M. The sale by retail of alcohol for consumption off the premises only Monday to Sunday 07.00hrs to 23.00hrs</p>

4.2 A location plan for these businesses including the Tasty Bites restaurant is annexed to this report as Appendix 3.

5. Representations

5.1 One representation was received from the Responsible Authorities (as listed above):

- Head of Environment

5.2 A copy of the representation is attached at Appendix 4 of the report

5.3 No representations have been received from interested parties (persons living in the vicinity).

6. Essex Police

6.1 Essex Police have written to the applicant and have agreed the following amendments to the conditions under Annex 2 of the Premises Licence:

- No alcohol shall be taken outside the premises after 22:30 each night of the week
- Only toughened glass will be used throughout the premises including the outside terraced area
- All exterior furniture shall be removed from the outside terraced area each night at the close of trading

- The premises shall operate a Challenge 25 policy and suitable signage shall be displayed, particularly around the bar area, informing patrons of this age verification policy
- Staff shall be trained in responsible sale of alcohol and training records shall be kept up to date and held at the premises. All training records shall be made available to a police constable or authorised officer upon request
- CCTV: A CCTV system shall be operating throughout each period of trading and shall have retention of recordings for at least 31 days. The system shall cover all licensed areas including the front terrace. A member of staff shall be on duty during trading hours that is trained on the systems operation and the downloading of recordings. Recordings shall be made available to a police constable or authorised officer upon request. Suitable signage shall be displayed informing the patrons that a CCTV system is in operation
- There will be a zero drugs tolerance policy in operation

6.2 It is noted that the existing CCTV system installation at the premises is adequate to fulfil the condition mentioned as above.

6.3 A copy of the letter from Essex Police is attached at Appendix 5 of the report.

7. Statement of Licensing Policy

7.1 The following extracts from the Council's Policy are brought to the general attention of the Sub-Committee.

"1.19 When considering applications, the Council will have regard to:-

- the Licensing Act 2003 and the licensing objectives,
- Government guidance issued under Section 182 of the Licensing Act 2003,
- any supporting regulations
- this statement of licensing policy

1.20 This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

1.21 The Licensing Authority recognises that, in some circumstances, longer licensing hours for the sale of alcohol may help to avoid concentrations of customers leaving premises simultaneously and to reduce the potential for disorder. It also recognises that overly restrictive hours may inhibit the development of night-time economies that are important for investment, employment and tourism.

1.22 When determining applications before a Licensing Sub-Committee, the Authority will seek to balance those factors against their duty to promote the four licensing objectives and the rights of residents to peace and quiet."

7.2 An extract of the Statement of Licensing Policy is attached at Appendix 6 of the report

8. Licensing Objectives

8.1 Licensing objection potentially breached when determining this application:

Prevention of Crime and Disorder	X
Public Safety	X
Prevention of Public Nuisance	✓
Protection of Children from Harm	X

9. Options

9.1 The Sub-Committee is advised that it has the following options when determining this application.

- (i) Grant the application on the terms and conditions applied for as set out in Appendix 1.
- (ii) Grant the application on the terms and conditions applied for including the additional conditions as agreed by the applicant and Essex Police or modified to such extent as considered necessary for the promotion of the Licensing Objectives.
- (iii) Reject the application

Recommendation

The decision of the Sub Committee is required following proper consideration of the application and the representations made by the Head of Environment.

pBackground Papers:

Application file held by the Licensing Authority

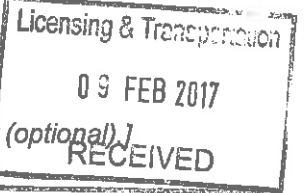
Licensing Act 2003

Live Music Act 2012

Castle Point Borough Council Statement of Licensing Policy

APPENDIX 1

[Insert name and address of relevant licensing authority and its reference number (optional)]



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 AHMET OKDEMIR
(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			
TASTY BITES. 275-277 HIGH ROAD			
Post town	BENFLEET	Postcode	SS7 5HA
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |

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

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

Please tick yes

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

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname OZEMIR.			First names AHMET.		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town	BENFLEET.			Postcode	SS7
Daytime contact telephone number			01268		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
01 03 2017

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)

This is a cafe during hours of 8am - 5pm but are opening up as a restaurant in evenings 5pm - 11pm. We are situated along the high road in a parade of shops. We have decking on front of shop with tables + chairs.

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

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			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 (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<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> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<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> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	11:00	23:00			
Fri	11:00	23:00	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 (please read guidance note 5)		
Sat	11:00	23:00	We don't have any bookings for live music at the moment but just incase in the future, we arrange a live music night.		
Sun	11:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)			
Thur						
Fri			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 (please read guidance note 5)			
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)			
Thur						
Fri			<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> (please read guidance note 5)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) 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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<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> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur						
Fri			<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> (please read guidance note 5)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon	11:00am	23:00pm		
Tue	11:00am	23:00pm		
Wed	11:00am	23:00pm		
Thur	11:00am	23:00pm		
Fri	11:00am	23:00pm		
Sat	11:00am	23:00pm		
Sun	11:00am	23:00pm		
			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 (please read guidance note 5)	

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

Name	AHMET OZDEMIR		
Address	BENFLEET ESSEX		
Postcode	SS7		
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).

N/A

L

Hours premises are open to the public
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	8:00am	23:00pm
Tue	8:00am	23:00pm
Wed	8:00am	23:00pm
Thur	8:00am	23:00pm
Fri	8:00am	23:00pm
Sat	8:00am	23:00pm
Sun	9:00am	23:00pm

State any seasonal variations (please read guidance note 4)

N/A

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

N/A

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)

- ✧ Effective and responsible Management.
- ✧ Making sure all staff are trained.
- ✧ Displaying aware and warnings signs where needed.

b) The prevention of crime and disorder

- ✧ Effective and responsible management on premises at all times.
- ✧ Checking I.D. for no under age drinking.
- ✧ CCTV covering all inside + outside of restaurant + Alarm System Fitted.
- ✧ Trained staff

c) Public safety

- ✧ CCTV + Alarm System Fitted.
- ✧ Implementation of crowd management measures.
- ✧ Public Liability.
- ✧ Regular testing of all appliances, systems etc.
- ✧ Responsible Management
- ✧ Sufficient number of staff working.

d) The prevention of public nuisance

- ✧ Responsible Management of premises
- ✧ Control all parts of premises
- ✧ External lighting
- ✧ Management arrangements for litter.
- ✧ Effective ventilation systems to prevent nuisance from odour.
- ✧ Trained Staff.

e) The protection of children from harm

* Smoking only allowed in designated smoking area.

* Checking all ID for no under age drinking.

* Children only allowed in with an accompanied by an adult.

* Glasses will be cleared from table as soon as they are finished with.

* Posters will be put up informing laws relating to alcohol.

* Trained staff in uniform at all times.

* CCTV.

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	
Date	23/1/17
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
AHMET OZDEMIR			
Post town	BENFLEET	Postcode	SS7
Telephone number (if any)	01268		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

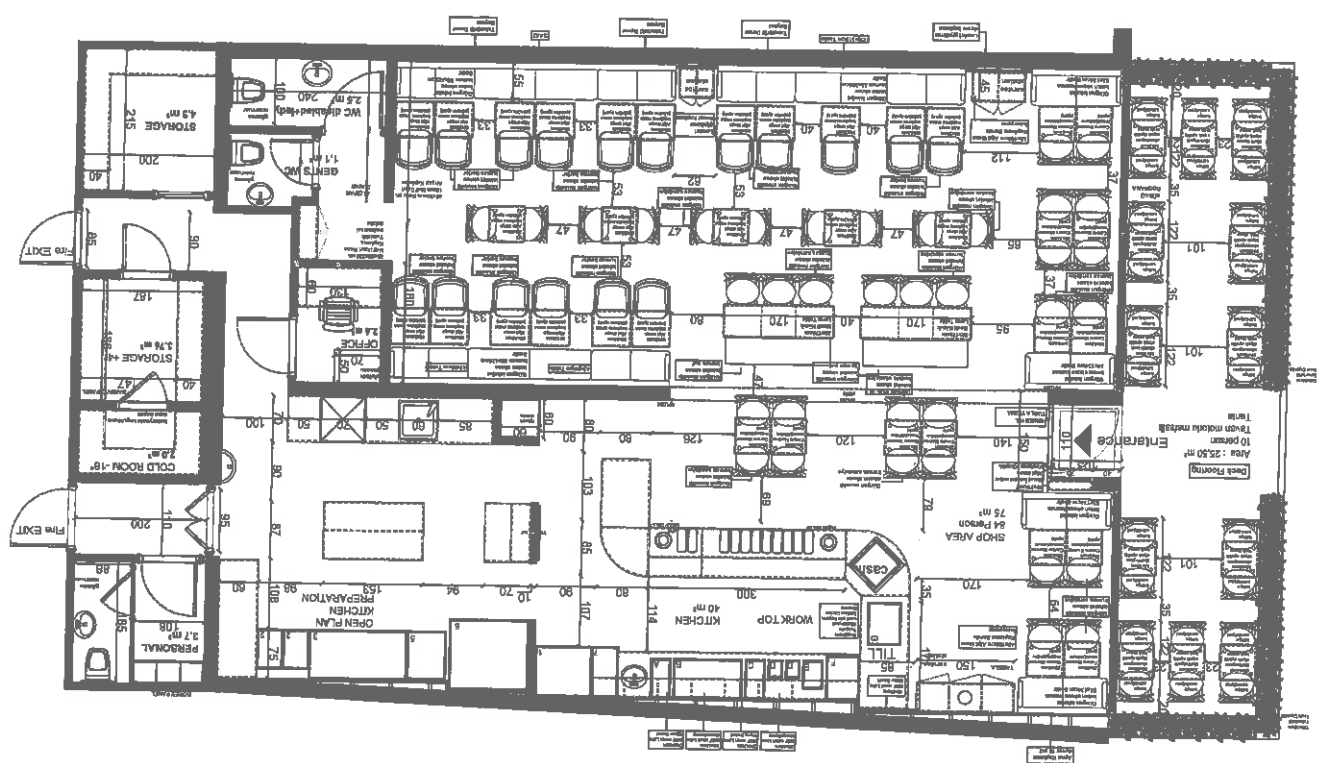
Notes for Guidance

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.

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PARTIAL FLOOR PLAN
010000 100

Autodesk, Inc. 1111 California Street, Suite 1000, San Francisco, CA 94109-1500
Copyright © 1995 Autodesk, Inc. All rights reserved.



PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

Autodesk, Inc. 1111 California Street, Suite 1000, San Francisco, CA 94109-1500
Copyright © 1995 Autodesk, Inc. All rights reserved.

Land Registry Current title plan

Title number EX761580
Ordnance Survey map reference TQ7786NE
Scale 1:1250
Administrative area Essex : Castle Point



This is a copy of the title plan on 1 JUN 2015 at 12:46:41. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the title plan. An official copy of the title plan is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

The Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by Land Registry, Peterborough Office.

LICENSING ACT 2003 - PUBLIC NOTICE OF APPLICATION

APPLICATION FOR A PREMISES LICENCE / CLUB PREMISES
CERTIFICATE * (under Sections 17 or 71 of the Act)

* delete as appropriate

Name of Applicant or Club	AHMET OZDEMIR
Postal address of premises or club premises including Postcode (where possible) or a description to enable the location to be identified.	275 - 277 HIGH ROAD BENFLEET ESSEX, SS7 5HA

I am applying to open Tasty Bites as a restaurant, so I have applied for a premises licence.

The opening times will be from 8am - 11pm.

I have applied for the sale of alcohol from the hours of 11am to 11pm.

I have applied for Live Music from the hours of 11am to 11pm. This is in case we get any future bookings.

The Licensing Register may be inspected at the Licensing Department, Castle Point Borough Council, Kiln Road, Thundersley, Benfleet, Essex, SS7 1TF between 9.00 am and 4.30 pm (Monday to Friday except public holidays).

Any representations by a Responsible Authority or Interested Party must be made in writing to the above address by... 28/3/2017

It is an offence knowingly or recklessly to make a false statement in connection with an application punishable on summary conviction by a maximum fine of £5,000.

Notes:

This Notice must be of a size EQUAL TO OR LARGER THAN A4 paper and must be on PALE BLUE coloured paper. It must be PRINTED IN BLACK INK or TYPED IN BLACK in a FONT SIZE EQUAL TO OR LARGER THAN 16.

It must be displayed PROMINENTLY at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises.

In the case of premises covering an area of more than 50 METRES SQUARE, a further Notice in the same form must be displayed EVERY 50 METRES along the exterior of the premises abutting any highway.

The Notice must be displayed for a period of NO LESS THAN 28 CONSECUTIVE DAYS starting on the day after the day on which the application was given to the Licensing Authority (Castle Point Borough Council).

Representations by a Responsible Authority or an Interested Party must be made during a period of 28 consecutive days starting on the day after the day on which the application is given to the Licensing Authority.

APPENDIX 3



Proposed Licensed Premises

13

Tasty Bites
275-277 High Road



Licensed Premises

1

Benfleet Tavern
Richmond Avenue

2

Anatolian Restaurant
311 High Road

3

Amala Restaurant
303 High Road

4

Coop
289-291 High Road

5

SR News
263 High Road

6

Cherry Leaf Restaurant
261a High Road

7

Richmond Hall
High Road

8

Pizza Hut
225 High Road

9

Budgens
248-250 High Road

10

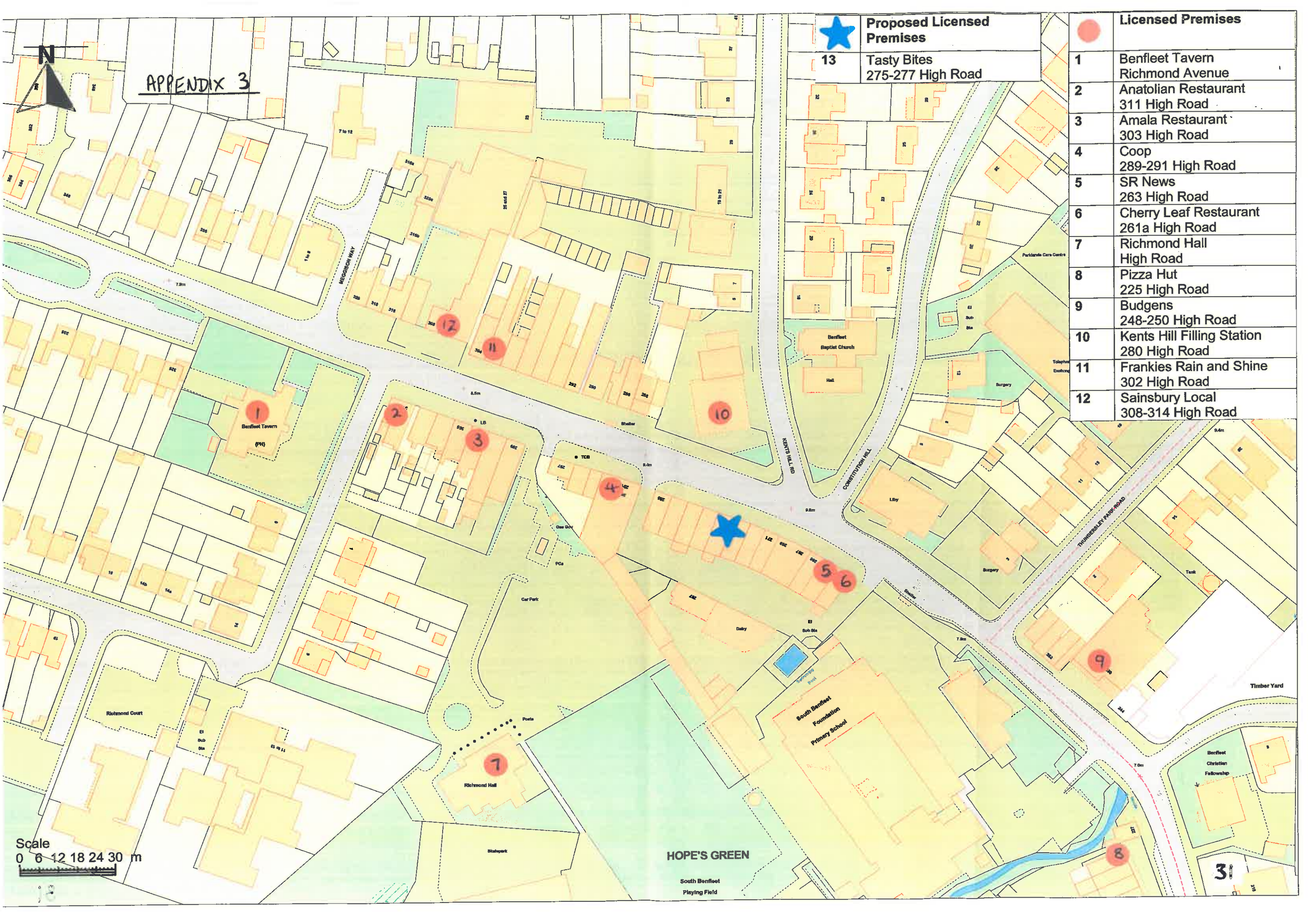
Kents Hill Filling Station
280 High Road

11

Frankies Rain and Shine
302 High Road

12

Sainsbury Local
308-314 High Road



Scale
0 6 12 18 24 30 m

HOPE'S GREEN

South Benfleet
Playing Field

31



Castle Point Borough Council
Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF
Tel: 01268 882200
Fax: 01268 882327

Details of premises or club premises in relation to which an application has been made.

Name of Premises or Club: Tasty Bites

Address of Premises or Club: 275-277 High Road, Benfleet, Essex, SS7 5HA

Type of Application:

Premises Licence Application

Representor's Details

- | | | |
|----|---|--------------------|
| 1. | Individual, body or business which is not a responsible authority | Yes /No |
| 2. | A responsible authority | Yes/ No |

Details of Representor

Mrs J. M. Parker-East
Environmental Health Officer
Castle Point Borough Council
Kiln Road
Thundersley, Benfleet
Essex, SS7 1TF
Telephone: (01268) 882308
e-mail: jparker-east@castlepoint.gov.uk

Signed:

Dated: 8th March 2017

This representation relates to the following licensing objective (s)

- | | | |
|----|--------------------------------------|--------------------|
| 1. | The prevention of crime and disorder | Yes /No |
| 2. | Public Safety | Yes /No |
| 3. | The prevention of public nuisance | Yes/ No |
| 4. | The protection of children from harm | Yes /No |

The grounds of the representation are detailed below

The environmental protection issues raised by this application are the control of noise from the playing of music live and recorded, and from customers at the premises for longer later hours than currently, so as to avoid public nuisance.

This premises is in a block of a dozen businesses all with maisonettes above. Most of the businesses are open during the working day only. Only one other business on this block is licensed and it doesn't play live music. In my opinion there is the potential for nuisance to be caused to nearby and adjacent residents.

We have other instances in the Borough where premises located in a block such as this with commercial premises on the ground floor and flats or maisonettes above have caused noise nuisance problems. It is a shame that residents have to suffer a nuisance which is both foreseeable and preventable before action can be taken.

We recently investigated noise nuisance from this premises due to the refurbishment works being carried out. Whilst this cannot be a consideration which can give rise to an objection under the Licensing Act and is being dealt with by separate enforcement action it did indicate the potential for noise nuisance from other activities at this premises which are a consideration under the Licensing Act and the works were not being carried out until such late hours as are proposed in this application.

The only possible smoking area is at the front of the premises which is located directly below the lounge and bedrooms of the maisonettes above.

The application does not indicate that the service of alcohol is conditional on the purchase of food which suggests the aim is to create a pub or bar which would be in my opinion totally unacceptable for this location.

The application does not include measures to mitigate noise nuisance to residents from the playing of live or recorded music on the premises or from customers coming in and out of the premises and smoking or sitting outside.

I don't believe that this business can operate the proposed hours either with recorded and certainly not with live music without causing a significant nuisance to local residents.

Approved by:

Signature _____
Head of Environment

Date: 8th March 2017

APPENDIX 5

Ahmet OZDEMIR
Tasty Bites
275-277 High Road
Benfleet
Essex
SS7 5HA



County Licensing Hub
Witham Police Station
PO Box 12306
Newland St
Witham
Essex
CM82AS
15/02/2017

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

Tasty Bites, 275-277 High Road, Benfleet, Essex SS7 5HA

CONDITIONS SOUGHT

Following my visit to the above premise and my subsequent meeting with your area manager Toni BARNETT, as you were not available, I am writing to you to confirm that Essex Police seek certain conditions to the premises licence for the promotion of the licensing objectives. Those being:

- No alcohol shall be taken outside the premise after 22:30 each night of the week
- Only toughened glass will be used throughout the premise including the outside terraced area
- All exterior furniture shall be removed from the outside terraced area each night at the close of trading
- The premises shall operate a Challenge 25 policy and suitable signage shall be displayed, particularly around the bar area, informing patrons of this age verification policy
- Staff shall be trained in responsible sale of alcohol and training records shall be kept up to date and held at the premise. All training records shall be made available to a police constable or authorised officer upon request
- CCTV: A CCTV system shall be operating throughout each period of trading and shall have retention of recordings for at least 31 days. The system shall cover all licensed areas including the front terrace. A member of staff shall be on duty during trading hours that is trained on the systems operation and the downloading of recordings. Recordings shall be made available to a police constable or authorised officer upon request. Suitable signage shall be displayed informing the patrons that a CCTV system is in operation
- There will be a zero drugs tolerance policy in operation



I would like to further confirm that your area manager Ms Toni BARNETT was very helpful during my visit and she indicated that you would freely agree to these conditions.

It is noted that your existing CCTV system installation is adequate to fulfil the condition mentioned in this document.

Also, you will find enclosed information of right to work checks for employees which is for your guidance.

I would be grateful if you could send confirmation of your agreement to the conditions sought by Essex Police to the Castle Point Council Licensing Officer (copied to me please) to enable me to process this application promptly.

Yours faithfully

6895 Stephen Sparrow
Essex Police County Licensing Officer
Ext 406358

previous consultation and bodies representing ethnic minority groups and disabled people were also sought. Due consideration was given to the views of all those who responded to the consultation.

Links to other Bodies

APPENDIX 6

- 1.14 In preparing this statement of licensing policy, the Council has had regard to and consulted those involved in its local strategies on crime prevention, planning, transport, culture, tourism and economic development, to ensure the proper co-ordination and integration of the aims and actions of these policies. Review and amendment of these strategies will be considered for their impact on this statement of licensing policy. See appendix "M" and "N".
- 1.15 Further, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will also be appraised of the local employment situation and the need for new investment and employment, where appropriate.
- 1.16 To ensure proper integration with the Council's planning policies, the Licensing Committee will provide reports to the Planning Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder, to enable the planning committee to have regard to such matters when making its decisions.
- 1.17 The Council recognises its responsibilities under the Race Relations Act, 1976, as amended by the Race Relations (Amendment) Act, 2000. The Equality Act 2006, the Disability Discrimination Act 2005 and other related legislation. The impact of this policy on race relations, equality issues and disabled people will be monitored through the Council's equality and diversity policies and strategies and the Licensing Authority will take these responsibilities into account when dealing with applications.

Regulated Entertainment

- 1.18 Having regard to the Council's Cultural Strategy and the International Covenant on Economic, Social and Cultural Rights (ICESCR) ratified in 1976, a diverse provision of cultural activities is welcomed for the benefit of communities. The Council will monitor the licensing of regulated entertainment, especially with regard to live music and dancing, theatrical performances, circuses, etc. to ensure that such events are promoted without unreasonable restrictions being imposed, which would discourage such events. The Council will need to balance the natural concern to prevent disturbance in neighbourhoods with the wider cultural benefits, particularly the cultural benefits for children. Advice and guidance on this matter will be sought from the Council's Head of Partnership or other appointed officer.

Applications

- 1.19 When considering applications, the Council will have regard to:-
- the Licensing Act 2003 and the licensing objectives,

- Government guidance issued under Section 182 of the Licensing Act 2003,
- any supporting regulations
- this statement of licensing policy

- 1.20 This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.
- 1.21 The Licensing Authority recognises that, in some circumstances, longer licensing hours for the sale of alcohol may help to avoid concentrations of customers leaving premises simultaneously and to reduce the potential for disorder. It also recognises that overly restrictive hours may inhibit the development of night-time economies that are important for investment, employment and tourism.
- 1.22 When determining applications before a Licensing Sub-Committee, the authority will seek to balance those factors against their duty to promote the four licensing objectives and the rights of residents to peace and quiet.
- 1.23 When the Council is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its licensing functions will be discharged separately from its functions as the local planning authority.

However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary.)

- 1.24 When one part of the Council seeks a premises licence from the licensing authority, the licensing committee and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they will be considered fairly by the committee. Those making representations genuinely aggrieved by a positive decision in favour of a local authority application by the licensing authority may appeal to the magistrates' court and thereby receive an independent review of any decision made.
- 1.25 In all cases, applicants and those making representation in respect of applications to the Council have a right of appeal to the Magistrates' Court against the decisions of the Council.
- 1.26 Appendix "P" provides applicants with the details of the application process, having regard to the Licensing Act 2003, the regulations, statutory guidance and local practice and procedures. It should be noted that incomplete applications will not be accepted but will be returned with an explanation of why it is incomplete.