

LICENSING HEARING PANEL

14 FEBRUARY 2017

LICENSING ACT 2003 APPLICATION FOR A NEW PREMISES LICENCE

GILLINGHAM GRILL, KEBAB PIZZA AND FRIED CHICKEN LTD, 3 SKINNER STREET, GILLINGHAM ME7 1HD

Report from: Perry Holmes, Chief Legal Officer

Author: Alison Poulson, Licensing & Local Land Charges
Manager

Summary

The applicant has applied for a new Premises Licence in respect of Gillingham Grill, Kebab, Pizza and Fried Chicken Ltd, 3 Skinner Street, Gillingham for the provision of late night refreshments.

All responsible authorities have been consulted in line with the Licensing Act.

Representations have been received from members of the public and a business and to date no agreement has been reached.

1. The application

1.1 In accordance with the Licensing Act 2003, the Council has received an application for a new Premises Licence in respect of Gillingham Grill, Kebab, Pizza and Fried Chicken Ltd, 3 Skinner Street, Gillingham.

1.2 The details of the application requirements are as follows:

Late night refreshment (both indoors and outdoors)

Monday to Thursday & Sunday 23:00 – 02:00

Friday & Saturday 23:00 – 03:00

1.3 A copy of the application as submitted is at Appendix A

- 1.4 The application has been correctly advertised in the local press and notices displayed on the premises for the required period.
- 1.5 A copy of a map showing the location of the premises is at Appendix B.

2. Background

- 2.1 As stated at paragraph 1 this is a new application for a Premises Licence for the provision of late night refreshment.

3. Promotion of Licensing Objectives

- 3.1 The applicant is expected to demonstrate that they have dealt with and understand the promotion of the four licensing objectives, where appropriate. Members are referred to section M of the application at Appendix A.

- 3.2 The four licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

4. Relevant Representations

- 4.1 This matter has been put to the Licensing Hearing Panel because the council has received representations relating to all four of the licensing objectives from members of the public and a business. To date no agreement has been reached. Copies of these are attached at Appendix C.

5. Policy Considerations

- 5.1 Medway Council has published its Statement of Licensing Policy, which it will consider alongside the amended Guidance issued by the Home Office under section 182 of the Licensing Act 2003 in all applications.
- 5.2 In determining this application, Members may wish to consider information contained in Appendix 4 to the Statement of Licensing Policy that lists examples of good practice against the four licensing objectives as well as Chapters 9 and 10 of the amended Guidance.
- 5.3 The objections raised in the relevant representations received relate all four licensing objectives.

6. Risk Management

- 6.1 The Council has to consider and determine this application, which is a function relating to licensing and registration as set out in Schedule 1 to the Functions Regulations, the Licensing Act 2003. Gambling Act 2005 and other licensing functions reserved by law to the Council's Licensing and Safety Committee and its Sub-Committees, in accordance with the

law (both statutory and case law), relevant statutory guidance and statements of policy.

7. Financial and legal implications

- 7.1 There are no direct financial or legal implications at this time.
- 7.2 This hearing is regulated by the Licensing Act 2003 (Hearings) Regulations 2005 (as amended).
- 7.3 There is the possibility of a challenge by way of appeal to the decision by either the applicant or objectors should either have the requisite grounds to do so. Legal advice will be given to members as appropriate at the meeting. However, whatever the decision of the Panel, this must be based on the evidence placed before it in line with the licensing objectives and the Panel must decide what weight to attribute to this information.

8. Recommendation

- 8.1 That the Panel considers and determines this application.

Lead officer contact:

Mrs Alison Poulson – Licensing & Local Land Charges Manager
Telephone: 01634 332774 Email: alison.poulson@medway.gov.uk

Appendices

Appendix A – Application for new Premises Licence
Appendix B – Location Map
Appendix C – Copies of representation received

Background papers

None

Medway Council, Licensing Unit, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

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 GILLINGHAM GRILL KEBAB PIZZA & FRIED CHICKEN LTD
(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			
3 SKINNER STREET GILLINGHAM			
Post town	KENT	Postcode	ME7 1HD
Telephone number at premises (if any)		01634 799126	
Non-domestic rateable value of premises		£14040	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|--|--|--|
| <p>a) an individual or individuals *</p> <p>b) a person other than an individual *</p> <p style="margin-left: 20px;">i. as a limited company</p> <p style="margin-left: 20px;">ii. as a partnership</p> <p style="margin-left: 20px;">iii. as an unincorporated association or</p> <p style="margin-left: 20px;">iv. other (for example a statutory corporation)</p> | <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p>please complete section (A)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> |
|--|--|--|

- 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 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)					

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	GILLINGHAM GRILL KEBAB PIZZA & FRIED CHICKEN LTD
Address	3 SKINNER STREET GILLINGHAM KENT ME7 1HD
Registered number (where applicable)	10318407
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	01634 799126
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	12	2016

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)

FAST FOOD 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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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)			Will the performance of a play 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					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat					
Sun					
			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 (please read guidance note 5)		

B

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

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"/>
Day	Start	Finish	Both <input type="checkbox"/>		
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					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) PREPARE AND SELL HOT FOOD		
Mon	23:00	02:00			
	23:00	02:00			
Tue	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23:00	02:00			
Thur	23:00	03:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	23:00	03:00			
Sat	23:00	03:00			
Sun	23:00	02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	<input 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					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the <u>supply of alcohol at different times to those listed in the column on the left, please list</u> (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	
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

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	02:00	<p><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> (please read guidance note 5)</p>
Tue	11:00	02:00	
Wed	11:00	02:00	
Thur	11:00	02:00	
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	11:00	02:00	

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)

- 1) operate a CCTV
- 2) every hour check the safety of the equipments and customer zone
- 3) putting waste bins out - keeping hygienic
- 4) making sure customers don't get harmed from what you are selling.

b) The prevention of crime and disorder

- 1) CCTV to check if any crime occurred and for safety
- 2) staff and patrons shouldn't have a major crime profile.
- 3) keeping dangerous weapons away from premises and people.
- 4) nothing on premises that the business hasn't got a license for.

c) Public safety

- 1) if floor wet / put wet sign to prevent people getting hurt
- 2) safety hazard warning if necessary
- 3) safety checks of equipments before use
- 4) check if theres any not needed equipments on the premises
- 5) fire exits are all clear
- 6) harmful equipment put away.

d) The prevention of public nuisance

- 1) check if there is litter - enclose bin to customer zone
- 2) making sure there are no big crowds around your premises for safety - internal and external
- 3) making sure there is no harm to the premises to the residents or to the local community.
- 4) limit the noise within the business
- 5) make sure there is no bright lights outside premises that can distract the local community.

e) The protection of children from harm

- 1) making sure food is clean.
- 2) preventing food poisoning.
- 3) to prevent any allergic reactions to customers, make sure you know your food.
- 4) checking to see if food is not out of date
- 5) limitations on parts of the premises to which children may have access.

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	23/12/2016
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)

MOHABAT KHAN
3 SKINNER STREET
GILLINGHAM

Post town	GILLINGHAM	Postcode	ME7 1HD
Telephone number (if any)	01634 799126		
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.

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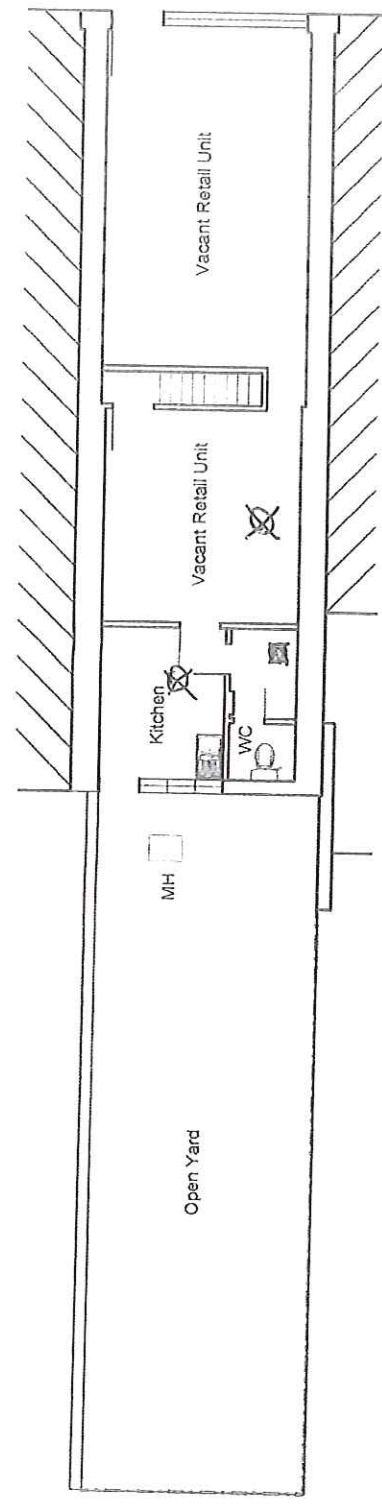
Fire
BATHROOM
SINK
ALARM

16 AUG 2010

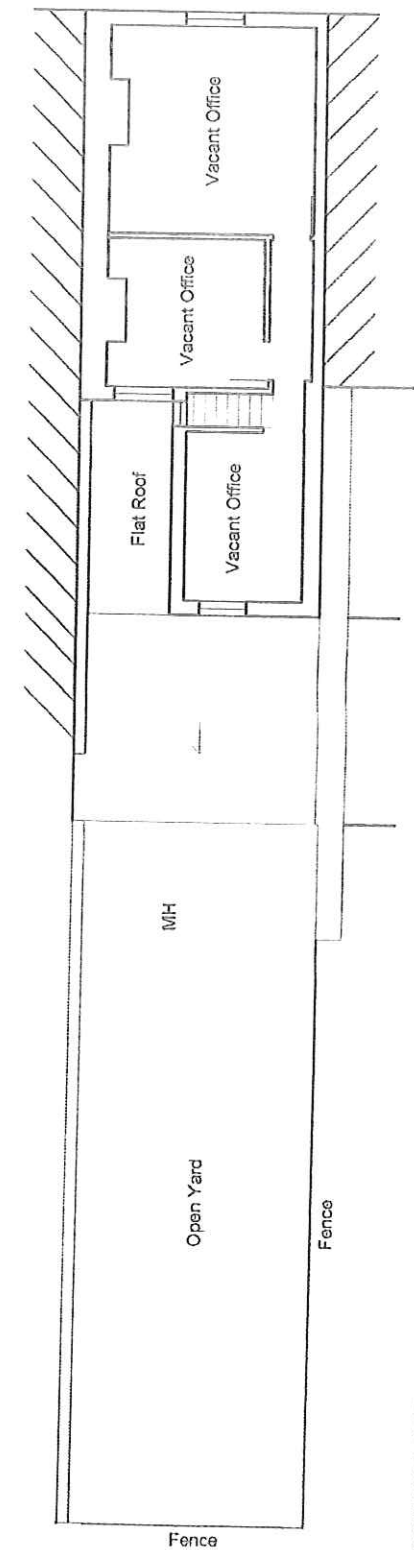
REV.	DATE	DESCRIPTION	BY	CHK
JC	DW	DW		

THE EXISTING FLOOR PLANS
PROJECT
3 SKINNER STREET,
GILLINGHAM, KENT.
MEZ 1HD.
CLIENT
Mr. & Mrs. Reshead

1:100 @ A3
AUG 10
10004/001



1 EXISTING FLOOR PLANS
GROUND FLOOR PLAN VIEW
Scale 1:100



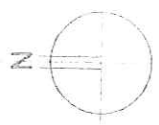
2 EXISTING FLOOR PLANS
FIRST FLOOR PLAN VIEW
Scale 1:100

MC / 10 / 2759

ORIGINAL

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16 AUG 2010

REV.	DATE	DESCRIPTION	BY	CHK
1	12/20/10	ISSUED FOR PERMIT	JC	DW

TITLE
PROPOSED SITE PLANS
SITE & LOCATION PLAN

PROJECT
3 SKINNER STREET,
GILLINGHAM, KENT.
MEET 1HD

CLIENT
Mr. & Mrs. Roache

DATE	12/20/2010	SCALE	@A3	DATE	AUG 10
PROJECT NO.	10004/010				





1 PROPOSED SITE PLANS

SITE LOCATION PLAN VIEW

Scale 1:1250



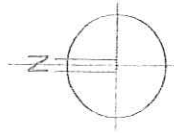
2 PROPOSED SITE PLANS

SITE LAYOUT PLAN VIEW

Scale 1:200

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ORIGINAL

24 MAR 2011

MC/11/1025

DATE	14/03/11	PROJECT NO.	10004/010
DATE	14/03/11	PROJECT NO.	10004/010
DATE	14/03/11	PROJECT NO.	10004/010
DATE	14/03/11	PROJECT NO.	10004/010

PROPOSED SITE PLANS
SITE & LOCATION PLAN

3 SKINNER STREET,
GILLINGHAM, KENT.
ME7 1HD

Mr. & Mrs. Rushood

1:200/1250
@A3

AUG 10

10004/010

A

NORTHGATE SE GIS Print Template



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**GILLINGHAM GRILL, KEBAB, PIZZA AND FRIED CHICKEN,
3 SKINNER STREET GILLINGHAM**

Nicola O'Neill
General Manager
Moo Moo Clubrooms
22 Canterbury Street
Gillingham
Kent
ME7 5TX
01634 851524
info@moomoogillingham.com

17th January 2017

Objection to Application for premises license

To Whom It May Concern,

I write regarding the premises license application for Gillingham Grill Kebab Pizza and Fried Chicken Ltd, 3 Skinner Street, Gillingham, ME7 1HD. As the General Manager and DPS of MooMoo Clubrooms, 22 Canterbury Street, Gillingham, ME7 5TX, I object to this application. Currently this business does not trade until 2am or 3am. I feel an extension to its current premises license will cause extra noise and disruption to local residents.

Yours faithfully

N J O'Neill (Miss)

Lisa Hopson
Licensing Officer
Medway Council
Gun Wharf
Dock Road
Chatham, ME4 4TR

Dear Lisa Hopson,

RE: Licence Application: Gillingham Grill Kebab Pizza & Friend Chicken Ltd – Application to extend Late Night Refreshment Hours

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- As soon as a group of people enters a street they are heard. If it is late at night and groups have been drinking, their voices are louder than they ordinarily would be. If groups of drinkers wake up residents and cause them distress, that is anti-social behaviour as defined by the 1998 Crime & Disorder Act.
- Extending the opening hours will provide an incentive and encouragement for people to migrate to and stay in the area instead of going home. This is of relevance as the request to extend the opening hours mirror those of Moo Moo night club (Thursday, Friday and Saturday evenings till 3.00am) and will impact on the dispersal of their patrons away from the club and residential properties.

- Moo Moo patrons also access Dixy Chicken in Canterbury Street have to que outside whilst waiting to be served and for their order, which generates noise, crime and antisocial behaviour as witnessed by Ward Councillors and residents in a recent observation of the Bliss Nightclub dispersal process last year. Resulting noise and disorder from Bliss nightclub and Dixey Chicken already undermines the Public Nuisance licensing objective and extending the hours to operate even further into the small hours at Gillingham Grill Kebab Pizza & Friend Chicken Ltd will simply exacerbate the current situation.
- The applicant has not considered the change of opening hours and its likely impact on the local community, and if necessary, what controls will be put in place to ensure that residents and the community will not be unduly impacted.

1.2 Noise

- The applicant has not stated noise generated by the extended hours will result in a 'significant observed effect' to the amenities of neighbouring occupiers by virtue of patrons coming and going from the premises, and congregating outside together, the potential for cars arriving and departing, vehicle engines running / radios playing, vehicle doors opening and shutting, the risk of arguments and antisocial behaviour.
- There is a significant issue with multipath propagation and multiple reflection of noise reverberation in Canterbury Street, Skinner Street, Green Street, Theodore Place and in and around the area of the proposed application, due to it being a built-up area with high density buildings and the streets being narrow.
- The Government's PPG on Noise states:
 - a. "Some commercial developments including fast food restaurants, night clubs and public houses can have particular impacts, not least because activities are often at their peak in the evening and late at night. Local planning authorities will wish to bear in mind not only the noise that is generated within the premises but also the noise that may be made by customers in the vicinity" (PPG Noise paragraph '007 Reference ID: 30-007-20140306).
 - b. Where noise has the potential to cause a material change in behaviour and/or attitude (e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep) then the quality of life diminished due to a change in the acoustic character of the area. Where such situations have the potential to occur this is referred to as a 'significant observed effect' and the Government's PPG on noise advises that such developments should be avoided. (PPG Noise paragraph '002 Reference ID: 30-002-20140306).

1.3 Highways

- The site has no dedicated parking, and there is no kerbside parking in the vicinity. This will result in users parking on double yellow lines, in the High Street and causing congestion to other car users and or pedestrians.

1.4 Rubbish and litter concerns

- Extending the hours will increase the potential for further litter and other debris to be cleaned off the streets, which is already an issue and concern. On the nights, when Moo Moo is open, the next day there is significant litter and debris from several takeaway shops. This not only impacts on residents, but community organisations and businesses in the High Street and Green Street who daily have to clear debris from outside their premises (Salvation Army, Green Street Garage, Team Support, Baptist Church).

I would be grateful if the council would take the above objections into consideration when making the decisions regarding the above stated application

Yours faithfully,

L Sharman

Lisa Hopson
Licensing Officer
Medway Council
Gun Wharf
Dock Road
Chatham, ME4 4TR

Dear Lisa Hopson,

RE: Licence Application: Gillingham Grill Kebab Pizza & Friend Chicken Ltd – Application to extend Late Night Refreshment Hours

I would like to make you aware of issues and concerns I have with regards to the proposed licence variation above.

The applicant in their application has failed to fully understand and or demonstrate clearly how they will address the 4 licence objectives as outlined below:

1. **Prevention of Crime and Disorder** – How they will prevent and manage crime and disorder, manage queues and or overcrowding in a very small facility and deal with customers that are likely to be intoxicated, violent or aggressive in and around the premises. There is no mention of door staff, being a member of Safer Medway partnership, appropriate staff training for dealing with conflict management, self-defence, first aid
2. **Public Safety** – The applicant has provided responses that relate to public health, rather than the public safety of customers using their premises. The points raised in the above point for Public Nuisance are mirrored in this section regarding public safety which the applicant has failed to address.
3. **Public Nuisance** – How they will prevent and manage public nuisance from their premises, address excessive noise and nuisance from customers arriving, waiting (inside/outside) and leaving the premises
4. **Protect children from harm** – How they will protect children from physical, moral and psychological harm, not just food safety.

1.1 Amenity, crime and antisocial behaviour

- Over 87 students live in the Former Adult Education Centre in Green Street a short distance from Moo Moo Night club and the Gillingham Grill Kebab Pizza & Friend Chicken Ltd. Residents and the local community have experienced significant crime, noise and antisocial behaviour from 11pm till 5am in the morning daily throughout the week by
 - a. students in Green Street accessing Moo Moo night club (Formerly Bliss) and fast food shops on Canterbury/Skinners Street.
 - b. patrons of Moo Moo night club and fast food shops on Canterbury/Skinners Street.
 - c. NB: Additional student accommodation in Jeffrey Street Car park (Rear of WH Smith) will house a further 68 students from September.
- I believe that the extended hours of use will result in a 'significant observed effect' to the amenities of neighbouring occupiers by virtue of patrons coming and going from the premises, and congregating outside together, the potential for cars arriving and departing, vehicle engines running / radios playing, vehicle doors opening and shutting, the risk of arguments and antisocial behaviour.
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Yours faithfully,

M Williams