

Bath & North East Somerset Council

MEETING	Licensing Sub Committee	
MEETING DATE	Thursday 4 July 2019	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Application for a Premises Licence for Muzzy Kebab Pitch 30, Orange Grove, Bath BA1 1LP	
WARD:	Kingsmead	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for a new premises licence		
Annex B Plan of premises and site plan		
Annex C Standard Street Trading Conditions		
Annex D Representations received from "other persons"		

1 THE ISSUE

- 1.1 An application has been made under s.17 Licensing Act 2003 by Mr Mehmet Yilmaz in respect of a premises licence for Muzzy Kebab, Pitch 30, Orange Grove, Bath BA1 1LP.
- 1.2 Relevant representations have been received within the statutory period.

2 RECOMMENDATION

- 2.1 The Committee is asked to determine the application.

3 THE REPORT

- 3.1 An application has been received for a new Premises Licence (Annex A).
- 3.2 The application proposes the following licensable activity:

The Provision of Late Night Refreshment (outdoors)

Sunday 23:00 to 01:00

Monday to Thursday 23:00 to 03:00

- 3.3 The application proposes the following opening times:

Sunday 18:00 to 01:00

Monday to Thursday 18:00 to 03:00

3.4 The following measures have been offered by the applicant to promote the licensing objectives:

- There shall be no alcohol sold at the unit which is a take-away catering unit;
- Signs shall be displayed requesting customers to refrain from making excessive noise;
- All packaging shall be paper or card;
- All drinks to be sold in aluminium cans or plastic cups;
- A litter bin shall be provided for use by customers;
- The area adjacent to the unit shall be regularly cleaned.

3.5 Plan of premises and site plans are attached at Annex B.

3.6 The Licensing Act 2003 (Section 4) states that it is the duty of all Licensing Authorities to carry out their functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:

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

3.7 Each objective is of equal importance. As there are no other licensing objectives, these four are of paramount consideration at all times. When considering applications, representations or notifications, the Licensing Authority will have regard to these licensing objectives.

3.8 A Street trading consent has been issued under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. Since 2002 there has been an established street trading pitch selling hot food and drink at this location, trading from 18:00 to 03:00 on Monday to Saturday and 10:00 to 01:00 on a Sunday. Any street trading consent is subject to the Council's Street trading policy conditions (Standard Conditions) which are attached at Annex C.

3.9 The Licensing Authority may grant the application with or without additional conditions.

3.10 Section 4(3) Licensing Act 2003 states that the Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:-

- a) Paragraphs 3-6, 8-10, 13-14, 17-24, 29, 33-36, 38-41 of the 2015 policy;
- b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised **April 2018**;
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act

3.11 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.

3.12 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates' Court. If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates' Court. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.

3.13 In accordance with the requirements of the Act, copies of the application were forwarded to the Police, the Fire Authority, Environmental Health, Development Control, Trading Standards, Health Authority and the Safeguarding Children and Young Persons Team.

3.14 The applicant was required to place a notice at the premises for a period of 28 consecutive days starting the day after the application was made, and to place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.

3.15 Two representations of objection have been received within the statutory period from residents living close to the premises. They express concern that the applicant's proposals are likely to undermine the Prevention of Public Nuisance licensing objective (Annex D).

3.16 As relevant representations have been received, the Licensing Sub Committee must determine the application in accordance with the Licensing Act 2003.

4 STATUTORY CONSIDERATIONS

4.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found.

4.2 Consideration must be given to the Human Rights Act 1998 and the "convention rights".

4.3 The Sub Committee have been delegated authority to determine the application on behalf of the Licensing Authority in accordance with the Licensing Act 2003.

4.4 When reaching a decision, the Licensing Authority must carry out its functions with a view to promoting the four licensing objectives.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The costs of processing licences are covered by the fees charged. The fee for this application is £100.00.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

7 CLIMATE CHANGE

7.1 The licensing objectives do not require the applicant to specify steps to mitigate the impact of climate emergency. However, the applicant is encouraged to consider locally sourced ingredients and reducing single use plastic in the operation of their business.

8 OTHER OPTIONS CONSIDERED

8.1 None.

9 CONSULTATION

9.1 The Council's Monitoring Officer (Director – Legal & Democratic Services and Council Solicitor), Section 151 Officer (Director of Finance) and Head of Building Control and Public Protection have had opportunity to input to this report and have cleared it for publication.

9.2 This report has not been sent to the Trades Union because they would have no involvement.

Contact person	Terrill Wolyn, Senior Public Protection Officer - 01225 396939
Background papers	Licensing Act 2003 Guidance issued under s.182 of the Licensing Act 2003 Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005 Schedule 4 Local Government (Miscellaneous Provisions) Act 1982 B&NES Statement of Licensing Policy
Please contact the report author if you need to access this report in an alternative format	

**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 Mehmet Yilmaz

(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 Muzzy kebab Pitch 30 Orange Grove		<div style="border: 1px solid black; padding: 5px; text-align: center;"> Environmental Services 15 MAY 2019 Receipt No. 398340 CHICA DO/08 - £100.00 </div>	
Post town	Bath	Postcode	BA1 1LP
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 * | <input type="checkbox"/> | |
| i | as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii | as a partnership (other than limited liability) | <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 | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |

ANNEX A

- 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 (by ticking yes to one box below):

- 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 Yilmaz			First names Mehmet		
Date of birth 27/02/1982		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality Turkish					
Current residential address if different from premises address		28 Kimbolton Close			
Post town	Swindon		Postcode	SN5 8RE	
Daytime contact telephone number			07465 727969		
E-mail address (optional)		Duran2008@yahoo.com			

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		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
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.) A recognised club
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? ASAP

DD	MM	YYYY
□	□	□
□	□	□
□	□	□

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)

Mobile catering unit selling hot take away food and soft drinks

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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 7)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
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 6)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed			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 6)		
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	2300	0300	Please give further details here (please read guidance note 4)		
Tue	2300	0300			
Wed	2300	0300	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	2300	0300			
Fri			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 6)		
Sat					
Sun	2300	0100			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue					
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
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 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	1800	0300	<p>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 6)</p>
Tue	1800	0300	
Wed	1800	0300	
Thur	1800	0300	
Fri			
Sat			
Sun	1800	0100	

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 10)

There will be no alcohol sold at the premises which is a take away catering unit

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

Signs will be prominently displayed requesting customers refrain from making excessive noise

All packaging will be paper or card

All drinks to be sold in aluminium cans or plastic cups

A litter bin will be provide for use by customers

The area adjacent to the unit will be regularly cleaned

e) The protection of children from harm

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee. x
- I have enclosed the plan of the premises. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- 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. x
- I understand that if I do not comply with the above requirements my application will be rejected. x
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). x

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	15 th may 2019
Capacity	OWNER.

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **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 14)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			





SAM'S KEBAB



SAM'S KEBAB
SPECIAL MEAL DEALS
HALF PRICE
MONEY OFFERS
OTHER HOT DEALS

KEBABS
LAMB BONES
CHICKEN KEBAB
LAMB BONES & CHIPS
CHICKEN KEBAB & CHIPS
LAMB BONES & CHIPS
SOFTS

	SMALL	LARGE	X LARGE
KEBABS			
LAMB BONES	6.00	6.50	7.00
BONES MEAT & CHIPS	4.50	5.00	5.50
BOX OF BONES MEAT	5.75	7.00	8.00
CHICKEN KEBAB	4.50	5.00	5.50
CHICKEN MEAT & CHIPS	4.50	5.00	5.50
LAMB BONES	5.50	7.00	8.00
SOFTS			
MIX KEBAB		MEDIUM	LARGE
CHICKEN & LAMB BONES	7.50	8.50	9.50
CHICKEN & SOFTS	7.50	8.50	9.50
LAMB BONES & CHICKEN	7.50	8.50	9.50
LAMB BONES & LAMB BREAD	7.50	8.50	9.50
WRAPS			
LAMB BONES WRAP	5.50	6.50	7.50
CHICKEN WRAP	4.50	5.50	6.50
LAMB BONES WRAP	4.50	5.50	6.50
SOFTS WRAP	4.50	5.50	6.50
MALAYSIAN CHICKEN WRAP	4.50	5.50	6.50
KIDS MENU ALL COMES WITH SMILE			
CHICKEN SANDWICH WITH CHIPS	3.50	4.50	5.50
BURGER WITH CHIPS	3.50	4.50	5.50
SOFTS MEAT & CHIPS	3.50	4.50	5.50
BURGERS			
1/2 BUNGER WITH CHEESE	4.00	4.50	5.00
1/2 BUNGER CHEESE SANDWICH	4.00	4.50	5.00
1/2 BUNGER WITH CHEESE	4.00	4.50	5.00
1/2 BUNGER CHEESE & HAM SANDWICH	4.00	4.50	5.00
1/2 BUNGER SOU-CHEESE	4.00	4.50	5.00
CHICKEN BURGERS	4.00	4.50	5.00
CHICKEN FILLET BURGERS	4.00	4.50	5.00
1/2 BUNGER WITH BONES MEAT	4.00	4.50	5.00
1/2 BUNGER WITH BONES MEAT	4.00	4.50	5.00
SIDE ORDERS			
LAMB CHIPS	2.00	2.50	3.00
LAMB CHIPS & CHEESE	2.00	2.50	3.00
CHIPS LAYNE	2.00	2.50	3.00
CHIPS LAYNE & CHEESE	2.00	2.50	3.00
CHIPS FASCETTI	2.00	2.50	3.00
CHIPS FASCETTI & CHEESE	2.00	2.50	3.00
MACARONELLA SOFTS	2.00	2.50	3.00
ALL KINDS SANDWICH CHEESE	2.00	2.50	3.00
EXTRAS			
SOFTS IN BOX	1.00	1.50	2.00
SOFTS IN BOX	1.00	1.50	2.00
SOFTS IN BOX	1.00	1.50	2.00
SOFTS IN BOX	1.00	1.50	2.00
SOFTS IN BOX	1.00	1.50	2.00
DRINKS			
COKE	1.00	1.50	2.00
PEPSI	1.00	1.50	2.00
7UP	1.00	1.50	2.00
ICE TEA	1.00	1.50	2.00
FRUIT FLAVOUR	1.00	1.50	2.00
SPRINKLES	1.00	1.50	2.00
ICE CREAM	1.00	1.50	2.00

KEBABS BURGERS CHICKEN CHIPS

CHICKEN KEBAB

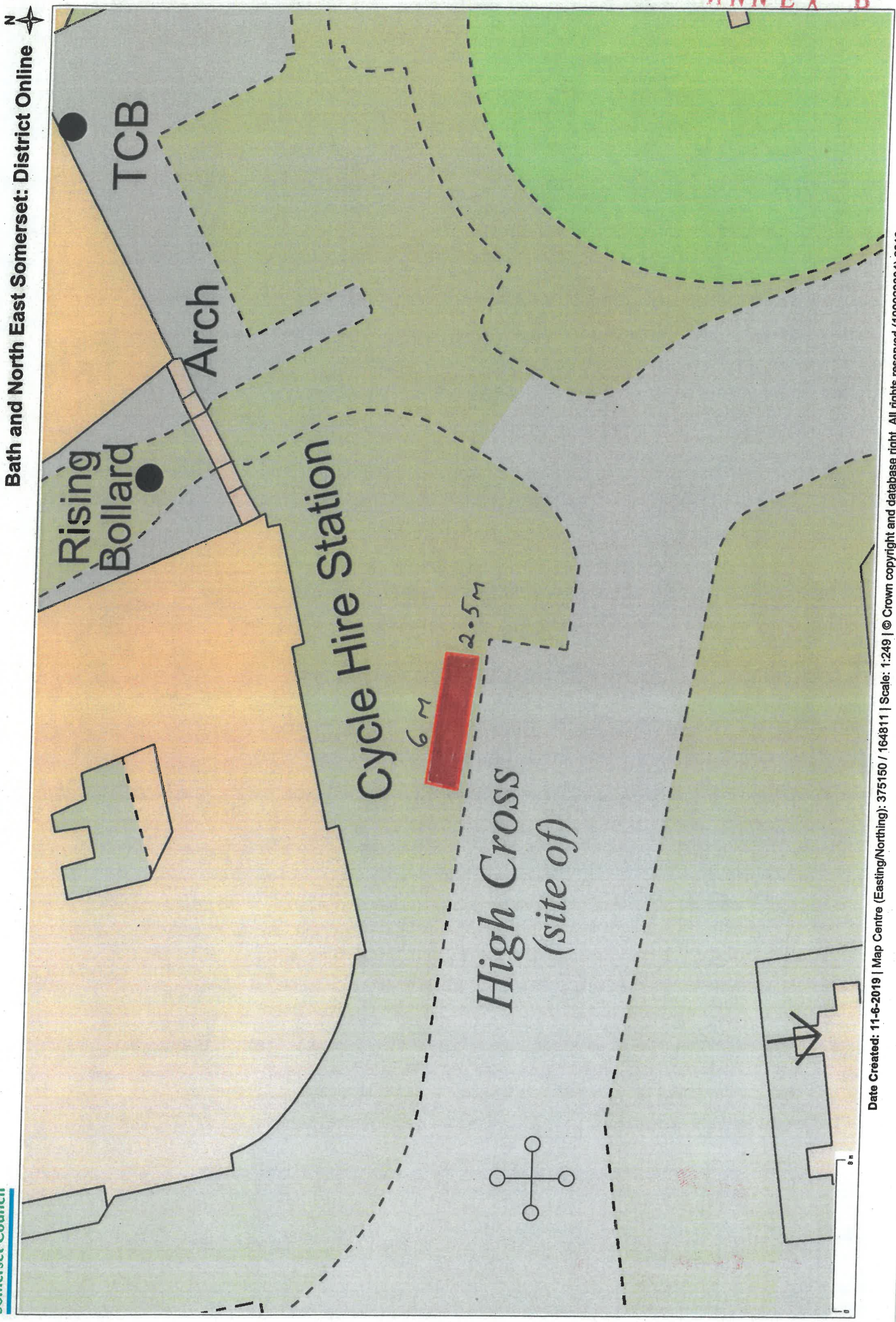


Bath and North East Somerset: District Online

Location Plan

Bath & North East Somerset Council





Street Trading Policy Conditions

Standard Conditions (attached to each Street Trading Consent)

1. The holder of this Consent (which expression where appropriate includes joint holders of this Consent) and any person employed to assist on the Pitch shall produce the Consent on demand when so required by a Police Officer or a duly authorised officer of Bath & North East Somerset Council (the Council).
2. The holder shall return this Consent to the Council immediately on revocation or surrender of the Consent.
3. The holder shall not trade otherwise than strictly in accordance with this Consent.
4. The holder shall notify the Council's Licensing Team at Bath & North East Somerset Council, Lewis House, Manvers Street, Bath BA1 1JG immediately of any convictions or cautions obtained by the holder of this Consent.
5. The holder shall not cause any obstruction of the street or danger to persons using it and shall not permit persons to gather around him or any van, cart, barrow, other vehicle or stall included in this Consent so as to cause a nuisance or annoyance or danger to any persons lawfully using the street and shall not park any such van etc. on the footway or verge of the street.
6. The holder shall not use or suffer or permit any music playing, music re-producing or sound amplification apparatus or any musical instruments radio or television receiving sets whilst trading under this Consent, save as varied by a special condition of this Consent or in relation to Consents relating to buskers.
7. The holder shall not place on the street or affix to any equipment placed on the street any advertising material of any description whatsoever except with the consent, in writing, of the Council's Licensing Manager.
8. The holder shall not make any excavations or indentations of any description whatsoever in the surface of the street or place or fix any equipment of any description in the said surface.
9. The holder shall not use the street for any trading purpose other than the purpose as permitted by the Consent and then only during the permitted hours.
10. The holder shall not place on the street any furniture or equipment other than as permitted by the Consent and they must maintain the same in a clean and tidy condition and not place them so as to cause any obstruction.
11. The holder shall not do or suffer anything to be done in or on the street which in the opinion of the Council may be or become a danger, statutory or common-law nuisance or annoyance to or cause damage or inconvenience to the Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.

12. The holder shall not assign underlet or part with his interest or possession under this Consent or any part thereof but they may surrender it at any time.
13. The holder shall observe and comply with any directions in relation to the use of the street given by any duly authorised officer of the Council.
14. The holder shall keep the trading position and the immediately adjacent area in a clean and tidy condition during the permitted hours and also leave the same in a clean and tidy condition and unobstructed at the end of each daily period of use under the terms of this Consent.
15. The holder shall provide at their own cost and expense litter bins or similar receptacles for the deposit of cartons, wrappings, containers and similar discarded items and remove them and their contents at the end of each daily period of use under this Consent.
16. The holder shall retain with any van, cart, barrow, other vehicle or stall included within this Consent any water used or waste produced until the end of each daily period of use under this Consent and then remove it and dispose of it elsewhere, and in particular shall not deposit any such waste near or into any street drain or channel.
17. The holder shall indemnify and save harmless the Council and their agents, servants and workmen from and against all proceedings damages claims or expenses in respect of an injury (including personal injury) which may be sustained by the Council or any person or persons body or company whatever arising out of or in any way connected with his trading and the provision of facilities under this Consent.
18. The Consent Holder shall arrange their own Public Liability Insurance for a minimum value of £5M.
19. This Consent may be revoked by the Council at any time and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation.
20. The Consent holder or any person employed by them to assist them on the Pitch shall at all times wear the identification badge issued by the Council whilst trading from the pitch. The badge shall be worn in a conspicuous position on the upper body.
21. The holder shall return the identification badge(s) to the Council immediately on revocation or surrender of the Consent.

22. Street Trading Fees

All street trading fees are due in advance:

- i. Where fees are paid by cash or cheque then they need to be paid before the 1 January, 1 April, 1 July and 1 October each year unless;
- ii. The Consent Holder has in place arrangements to pay the street trading fee by monthly Direct Debit installment whereas the Consent will be renewed on an annual basis commencing on 1 April.
- iii. Failure to maintain Direct Debit payment as above may result in the consent being revoked or not renewed.

iv. Where the payment fails to be made by the due date the Council may charge an administration fee as determined by the Licensing Manager.

Notes:

1. Street trading in a consent street without a Street Trading Consent, or from a van, cart etc., not specifically permitted by Consent, or contravening certain conditions attached to a Consent, amounts to an offence for which proceedings may be instituted.
2. A Street Trading Consent does not confer immunity from the provisions of any Street Parking Places Order or General Traffic Restriction Order unless an exemption has been specifically approved. In case of doubt about the effect of any such Order, enquire at Licensing Services, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath BA1 1JG. Any abuse of a specifically approved exemption may lead to the privilege being withdrawn for all traders.
3. The Local Government (Miscellaneous Provisions) Act 1982 provides as follows:

Schedule 4, paragraph 10

1. A person who:
 - b) engages in street trading in a consent street without being authorised to do so under this Schedule: or
 - d) being authorised by a street trading consent to trade in a consent street, trades in that street:
 - i) from a stationary van, cart, barrow or other vehicle; or
 - ii) from a portable stall,without first having been granted permission to do so under paragraph 7 (8) (of this Schedule); or
 - e) contravenes a condition imposed under paragraph 7 (9) (of this Schedule), shall be guilty of an offence.
2. It shall be a defence for a person charged with an offence under sub-paragraph (1) above to prove that they took all reasonable precautions and exercised all due diligence to avoid commission of the offence.
3. Any person who, in connection with an application for a street trading consent, makes a false statement which they know to be false in any material respect, or which they do not believe to be true, shall be guilty of an offence.
4. A person guilty of an offence under this paragraph shall be liable on summary conviction to a fine.

ANNEX D

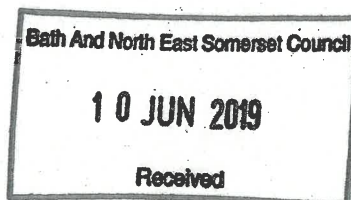
Wendy Stokes

Licensing

Lewis House

Manvers Street

Bath BA1 1JG



10 June 2018

Dear Ms Stokes,

Premises Licence Application Ref: 19/02472/LAPRE

I object strongly to the above application for a Kebab van to trade in the disabled space by the Pedestrian Crossing next to Brown's Restaurant.

I am a resident in the nearby Empire building, above Garfunkel's, and do not want a kebab van selling fast food to drinkers up until 3am. We object strongly to the cooking odours, the noise, the mess, vomiting and other anti-social behaviour that will attend this late night food outlet.

We already have drinkers buying fast food from nearby takeaways and eating it on the steps of our building, leaving their empty food containers, and destroying our flower pots. This proposed nearby kebab van, operating in to the early hours, will only attract more public nuisance to outside our residential building with a possible effect on public safety too for the elderly residents here. Also, Bath is a heritage city and we are in danger of losing this status if these mobile fast food outlets are allowed to proliferate.

Please take our concerns on board and keep us informed.

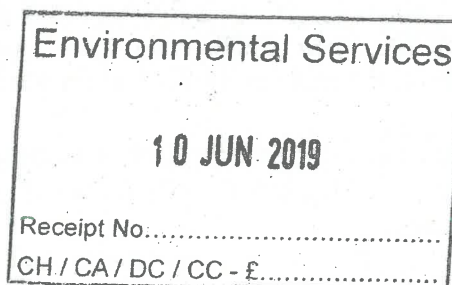
Yours sincerely,

Olive Newark (Mrs)

The Empire

Grand Parade

Bath BA2 4DF



From: Jeff Moore
Sent: 11 June 2019 19:36
To: Licensing
Subject: Application Ref. 19/02472/LAPRE

ANNEX D

The Empire
Grand Parade
BATH BA2 4DF

M:
E:
E:
10th June 2019

Wendy Stokes
Licencing
Lewis House
Manvers Street
BATH BA1 1JG

Application Ref. 19/02472/LAPRE

Dear Ms Stokes

We are writing to you in order to object in the strongest possible terms to the above application for a Kebab van to trade at / close to the Disabled Parking Bay adjacent to Browns Restaurant

This would not only be a very unsafe location, being close to the pedestrian crossing, but is going to spoil the outlook of such a beautiful area of Bath, being so close to the Abbey and the Guildhall

Furthermore, the location is close to The Empire, our home, and home of many elderly residents who value the peace and quiet of this area of Bath, especially after midnight. This peace will, no doubt, be disturbed every night by potentially hordes of people eating kebabs late into the early hours, shouting and generally make a great deal of noise, whilst a large number of us are trying to sleep. No doubt it will create a great deal of litter in the area to, never a pretty sight as it is most mornings

Please bear these comments in mind when considering this application. The location is **TOTALLY UNSUITABLE**, and I would implore you to turn down this application.

Yours sincerely

Jeff & Kim Moore