

Reference: 2008/03096/01SPRN

Hearing:

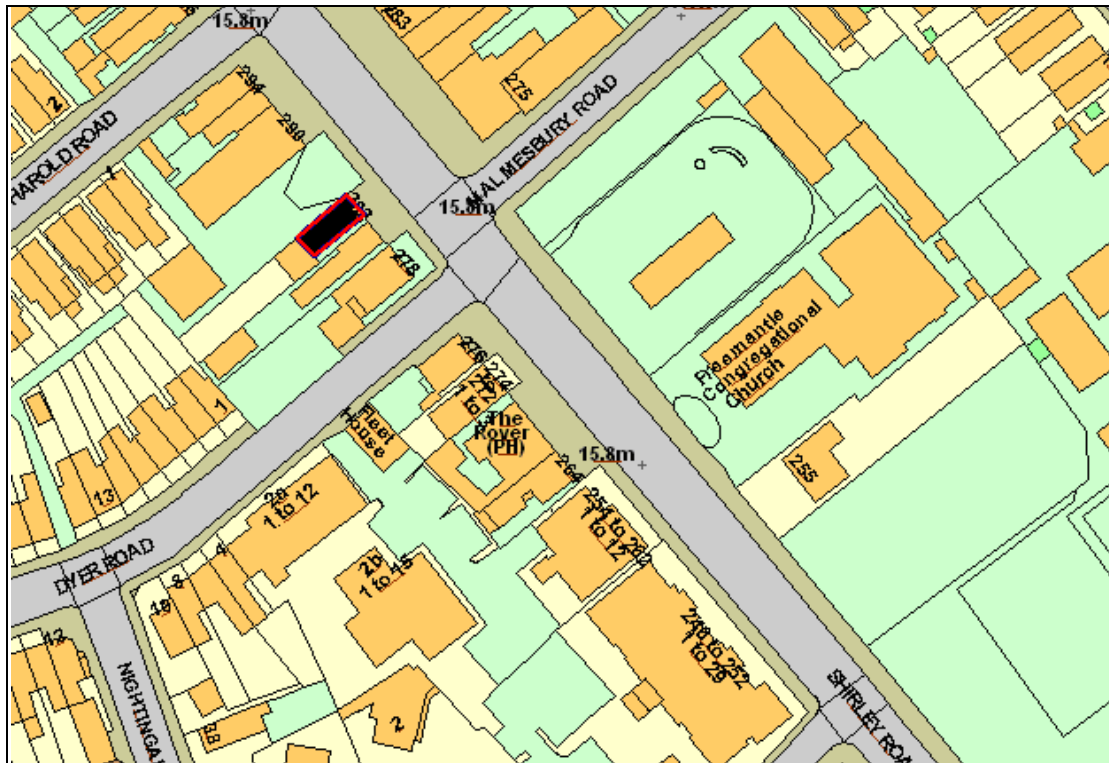
6th January 2009

**Application for Premises Licence**

Premises Name: Istanbul Grill  
 Premises Address: 282 Shirley Road  
 Freemantle  
 Southampton  
 SO15 3HL

Application Date: 3rd November 2008  
 Application Received Date: 11th November 2008

Application Valid Date: 11th November 2008



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**Representation From Responsible Authorities**

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	Ignore	

Hampshire Fire Service - Licensing	Ignore	
Environmental Health Service - Licensing	No	Objection received
Planning & Sustainability - Building Control - Licensing	Ignore	
Planning & Sustainability - Development Control - Licensing	Ignore	
Hampshire Constabulary - Licensing	Ignore	
Trading Standards - Licensing	Yes	

### ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Mr. Mehmet	192 Shirley Road Southampton SO15 3FN	Resident
Mr _ Mrs A.J.S ·& E.A Morris	280 Shirley Road Shirley Southampton SO15 3HL	Resident
Dr. Alice Mills	7 Dyer Road Southampton SO15 3EH	Resident
Mrs Marion Lloyd	6 Dyer Road Southampton S15 3EJ	Resident

## ***Legal Implications***

1. The Licensing Act 2003 specifically restricts the grounds on which the Council, as Licensing Authority (LA), may refuse an application for a new Premises Licence, or impose conditions. Where relevant representations are made, the LA may refuse on the grounds that the licensing objectives are not met or the operating schedule is inadequate. Equally, conditions may be imposed where relevant and necessary. The LA may also refuse an application in part and thereby only permit some of the licensable activities sought.
2. The decision making committee, in considering an application, must have regard to the adopted Statement of Licensing Policy and any relevant representations made by those directly affected.
3. An applicant for a new Premises Licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court.
4. In considering this application the committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.

The committee must also have regard to:-

5. *Crime and Disorder Act 1998*  
Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
6. *Human Rights Act 1998*  
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

**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 Mr Nurettin Yalcin

*(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**

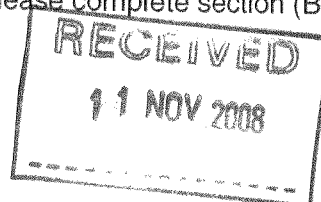
<b>Postal address of premises or, if none, ordnance survey map reference or description</b> 282 Shirley Road			
<b>Post town</b>	SOUTHAMPTON	<b>Post code</b>	SO15 3HL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4500

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

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



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

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

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

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

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Yalcin			<b>First names</b> Nurettin		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
<b>Current postal address if different from premises address</b>		86 Portsmouth Road			
<b>Post Town</b>	SOUTHAMPTON		<b>Postcode</b>	SO19 9AN	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes

<b>Current postal address if different from premises address</b>			
<b>Post Town</b>		<b>Postcode</b>	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**(B) OTHER APPLICANTS**

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

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
09	12	2008

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

Day	Month	Year

Please give a general description of the premises (please read guidance note1)  
The premises is beeing used as a Kebab Shop. Please refer to the enclosed plan.

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 yes**

- 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 entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

**In all cases complete boxes N, O and P**

**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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					



**B**

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

**C**

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

**D**

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

**E**

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

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance 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"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

# H

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

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



J

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

**K**

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

L

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 type="checkbox"/>
Day	Start	Finish			
Mon	23:00	03:00	<b>Please give further details here</b> (please read guidance note 3) N/A		
Tue	23:00	03:00			
Wed	23:00	03:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) N/A		
Thur	23:00	03:00			
Fri	23:00	03:00	<b>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</b> (please read guidance note 5)		
Sat	23:00	03:00			
Sun	23:00	01:00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) N/A		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b>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</b> (please read guidance note 5) N/A		

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

<b>Name</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal Licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	

**N**

**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

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) N/A
Day	Start	Finish	<b>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</b> (please read guidance note 5) N/A
Mon	12:00	03:00	
Tue	12:00	03:00	
Wed	12:00	03:00	
Thur	12:00	03:00	
Fri	12:00	03:00	
Sat	12:00	03:00	
Sun	12:00	01:00	

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

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

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

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

1. The 'red care' alarm system shall be operated and maintained at the premises.

An alarm system that meets a minimum standard of BSEN50131 grade 1 must be installed at the premises. A panic button facility must be provided at the counter.

At least 2 members of staff will be on the shop floor between 22.00 to closing time.

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

Premises shall be well lit both inside and out to deter offenders and support the CCTV (subject to any planning constraints)

**c) Public safety**

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H2O and CO2), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.

All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times.

**d) The prevention of public nuisance**

All customers are asked to leave quietly. Clear and legible notices will be displayed to remind customers to leave quietly.

Ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.

Trade waste agreement to be maintained at all times.

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

To protect the children from harm we have following steps taken  
 1- the premises are effectively and responsibly managed;  
 2- provision of a sufficient number of people employed or engaged  
 3- appropriate instruction, training and supervision of those employed or engaged

Please tick yes

- 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 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 CONVICTION TO A FINE UP TO 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	3 <sup>rd</sup> November 2008
Capacity	Authorised Agent

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

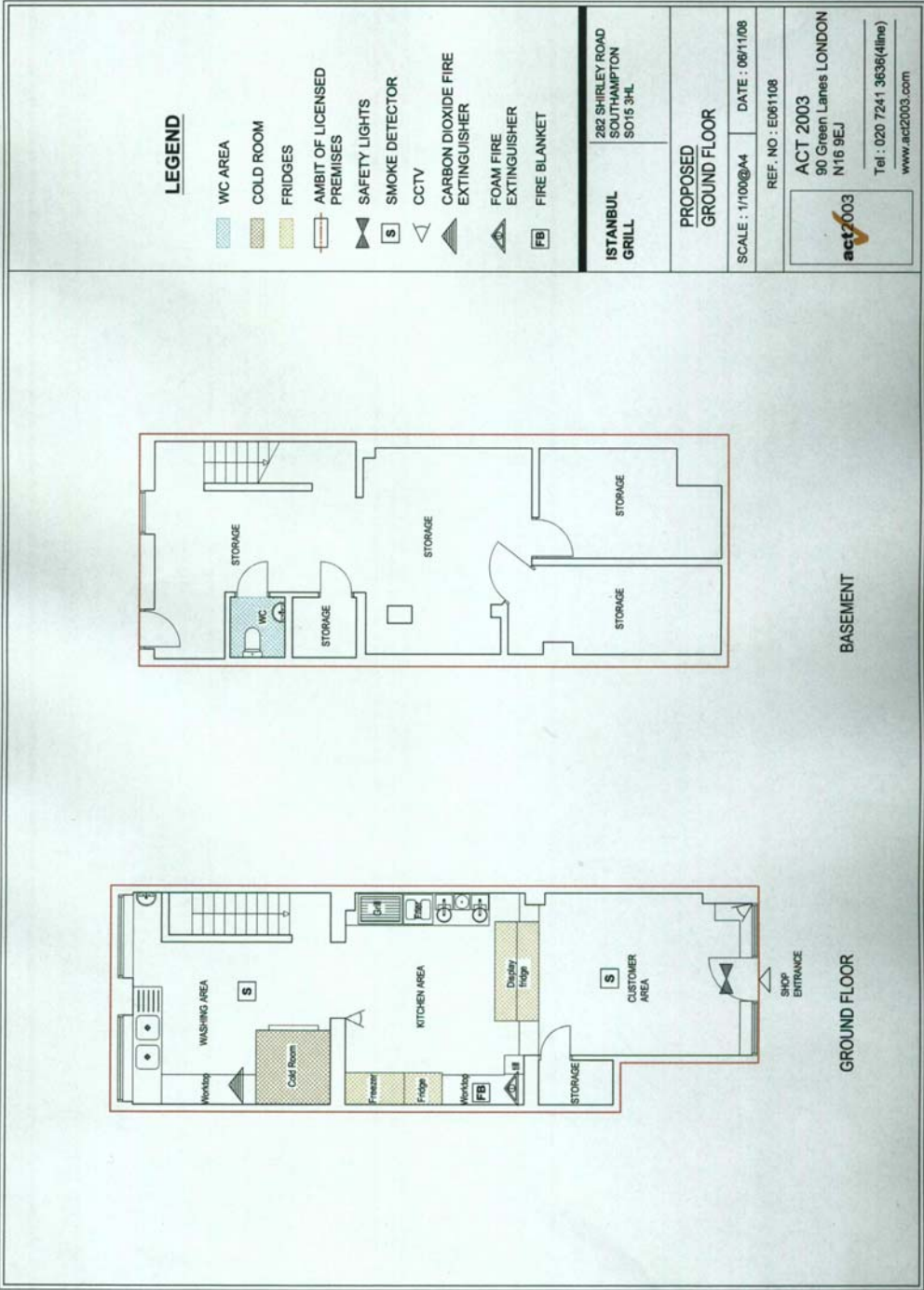
Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 13)			
NARTS - National Association of Turkish Restaurants, Take-aways and Supermarkets			
90 Green Lanes, Newington Green			
<b>Post town</b>	London	<b>Post code</b>	N16 9EJ
<b>Telephone number (if any)</b>	020 8090 0376		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			
info@act2003.com			

### 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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.





**'Istanbul Grill', 282 Shirley Road, Shirley, Southampton, SO15 3HL**  
**Part B – Application for a premises licence under the Licensing Act 2003**

**EHO Report**

The above application was received by Environmental Health Services on 12<sup>th</sup> November 2008 and the nature of the proposed application is set out in the application form.

**Premises Licence Application**

**Address:** Istanbul Grill, 282 Shirley Road, Southampton SO15 3HL

**Applicant:** Mr Nurettin Yalcin

**Proposed hours/Regulated Hours**

Service of hot food until 03.00 hours Monday to Saturday inclusive

Service of hot food until 01.00 hours Sunday

**Recommendation**

A representation to be made to the licensing service.

**EH Report**

**Observations**

**External**

- The building is a detached two storey property in a mixed commercial and residential area, facing onto a busy single track road. It is not located in part of Southampton's main night time economy as it is located on the outskirts of the city centre.
- There are many nearby residential properties including; Flats at first floor level (above commercial premises) on Shirley Road facing number 282; a residential street immediately opposite; adjacent commercial properties have flats at first floor level; the road running parallel and to the rear of 282 comprises of residential properties.
- There are no alleged noise nuisance complaints relating to the premises on file, from dispersal or noise or extraction equipment, as this premises under the previous proprietor has closed before midnight.
- The doors and windows to the property are timber framed. The windows have openable fanlights and the door has no recloser.

## **Internal**

- Tables with seating for up to 8 persons are to be provided within the area immediately inside the door to the premises.
- Equipment in use will include deep fat fryers and a pizza oven. The mechanical extraction system required to remove excess heat, moisture and odour from the kitchen will be operating until close of the premises.

## **Concerns**

- The potential for noise nuisance from customers using the takeaway.
- The potential for the premises to be a 'meeting area', with groups congregating outside, as this premises will be the only one nearby to open until early hours.
- Potential noise nuisance from extended use of mechanical extraction units.
- The doors and windows may remain open allowing break out of voices and noise from equipment.

## **Notes**

Other nearby commercial properties serving hot foods are open only until 23.30 hours.

## **Conclusion**

I am concerned about the potential for public nuisance from customers and the noise from extraction equipment having an adverse effect on the occupants of the nearby residential properties. The latest that the premises should be allowed to remain open is midnight.

## **Recommendation**

A representation to licensing services.

**Elaine Jeffery**  
**Principal Environmental Health Officer**

**26<sup>th</sup> November 2008**

Mr. Mehmet  
192 Shirley Road  
Southampton  
SO15 3FN  
12/11/2008



Licensing Team  
Southampton City Council.  
P.O.Box 1344  
Southampton SO15 1WQ.

Dear Licensing Team

I write to make my representation & objections against the granting of late refreshments licence to Mr. Nuriettin Yalcin to provide refreshments between 23:00 to 03:00 Monday to Saturday & Sunday Between 23:00 to 01:00 Sunday. For the premises Known-as 282 Shirley Road Southampton SO15 3HL.

As a near by resident I strongly object on the following grounds.

- 1- Prevention of Crime & Disorder of this otherwise residential area.
- 2- The promotion of public safety, as these premises is going to be used as a Kebab takes away, under a block of residential premises. It would be a high risk of fire for the premises above and those near by. Health and safety issues must be not compromised
- 3- The prevention of Public Nuisance. This late hours will enchorage litter and unacceptable social behaviour, will cause and increase noise and smell nuisance to the residence of the area. Besides of he noise of cars pulling in and out, and potential of serving as a social gathering fortheyoung in those late hours.
- 4- The protection of children from harm! There is no guarantee that this facility will not anchorage children from staying out late with all the consequences this encourage, including the temptation of crime.

I hope that the licensing team appreciate my concerns and the concerns of the immediate area community, who are living in the area, and balance need of the surrounding community of Shirley road with those of the applicants.

Thanking you for your support of our community needs, and your appreciation that we the community living near.by have concerns.

Yours sincerely.

**Alfred's Old Curiosity Shop**

**Featuring**

**"The Morris Galleries"**

280 Shirley Road, Shirley, Southampton. SO15 3HL  
023 8077 4772

Southampton City Licensing Team,  
P.O. Box 1344,  
Southampton.  
SO15-1WQ.

8th November, 2008.

Dear Sirs,

I write to you with regards to 282, Shirley Road, to be called Istanbul Grill.

Your letter is in the window, with regard to the applied for late-night (early morning) opening times, 11 till 3 AM, Mondays to Saturdays, and 10 P.M. until 2 AM, Sundays.

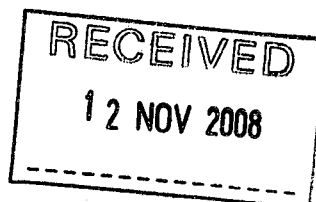
This is a shop 4 feet away from our bedroom, I look after my disabled wife, as well as trying to run our furniture shop, and this near-all-night opening is causing us huge concern. To open at these times is clearly only to cater for the late-night clubbers/drinkers going by. We already get enough trouble from these types, without them eating, drinking, urinating, fighting, and the general screaming that they do, plus the damage done.

We humbly appeal to you not to grant such an outlandish opening hours request, and save us from this Hell for the rest of our lives.

Having been Rate Payers here at 280, for 39 years, we put it respectfully to you that we do not deserve this.

Yours most sincerely,

Mr. & Mrs. A.J.S. & E.A. Morris & Family.



**Marion Lloyd**

**6 Dyer Road  
SOUTHAMPTON  
SO15 3EJ**

**Tel: 023 8070 3456    email: [mkl.lloydfamily@virgin.net](mailto:mkl.lloydfamily@virgin.net)  
Mob: 07743376687**

Monday December 1<sup>st</sup> 2008

Licensing Team  
P O Box 1344  
Southampton  
SO15 1WQ

Dear Sir or Madam:

Would you please register my objections to the following: -

The Chinese takeaway shop round the corner at 282, Shirley Road has ceased trading. There is a notice in the window stating that there is a proposal with the council at the moment. Apparently it is asking for approval for yet another food place, with a license for really late night opening; something like 11:00 pm – 3:00 am every night except Sunday when it would shut at 1:00.

I, and friends and neighbours around here, particularly the man who has the antique shop next door to the premises, feel strongly that it would be encouraging rowdy and unsocial behaviour. It seems that the area generally is becoming scruffier. (I have had to phone the council a couple of times about furniture etc dumped on the pavement.) It's not going to be pleasant having drunken behaviour, vomit and urine added to the problem!

Thank you for taking the time to read this.

Yours truly,

*M. Lloyd*

**RECEIVED**  
03 DEC 2008

7 Dyer Road  
Southampton  
SO15 3EH

Southampton City Council  
Licensing Team  
PO Box 1344  
Southampton  
SO15 1WR

1<sup>st</sup> December 2008

Dear Sir or Madam

**Istanbul Grill, 282 Shirley Road: Application for License**

I am writing to express a strong objection to the application from the above premises for a license to sell alcohol until 3am, Monday to Saturday and until 1am on Sundays.

As a resident of Shirley, living in Dyer Road which is very close to the property, and having small children, I am extremely concerned that granting a license to sell alcohol from these premises will lead to a significant rise in noise, disruption and anti-social behaviour.

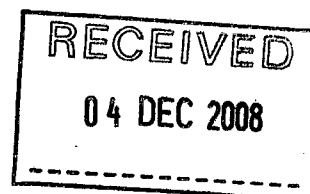
Although Shirley Road itself is not predominantly residential, many of those who will consume the alcohol bought at this shop will disperse down into the side streets, particularly Dyer Road as it is a thoroughfare to the rest of Freemantle, and it is us as residents who will suffer the adverse consequences of any decision to grant such a licence. Shirley High Street and Shirley Road already have several outlets which sell alcohol into the night and, on Friday and Saturday evenings in particular, intoxicated individuals can often be heard shouting loudly in the streets, generally disturbing the peace, and in some cases becoming involved in acts of minor vandalism and violent altercations. Recently, several residents have had their car windows broken and the litter in the street, including alcohol drink containers, seems to have got noticeably worse. This creates not only a sense of disorder, but also feelings of insecurity, and granting a license to this establishment to sell alcohol is only likely to further exacerbate these problems.

Furthermore, in the case of this particular premises, a family resides in the adjacent property, and they are likely to suffer from a considerable increase in noise, litter, and anti-social behaviour as a result any decision to allow the Istanbul Grill to sell alcohol into the night.

I would be grateful if you could consider my objection to this application. If you require any further information, please do not hesitate to contact me.

Yours faithfully,

Dr Alice Mills



**From:** Watts, Alan  
**Sent:** 13 November 2008 14:20  
**To:** 'info@act2003.com'  
**Cc:** Licensing  
**Subject:** Istanbul Grill, 283 Shirley Road, Southampton, SO15 3HL

**Importance:** High  
FAO Mahir Kilic

Further to the premises licence application dated 4<sup>th</sup> November 2008 in respect of the above premises.

Condition 03 of the above numbered planning permission restricts the hours that these premises are allowed to trade to between the hours of 9am to 11.30pm, Monday to Saturday; however the licence application seeks consent to trade until as late as 3am and 1am on Sundays (Monday morning).

Please note that irrespective of any licence granted, if the premises is found to operate outside the hours granted by the planning permission the Council will serve a Breach of Condition Notice upon the operator requiring that the business is only open within the permitted hours of the planning permission; 9am to 11.30pm, Monday to Saturday. Failure to comply with a Breach of Condition Notice can result in **immediate prosecution** in the Magistrates' Court, for which the maximum penalty, if convicted is £1,000 for a first and subsequent offence (i.e. each time it is proven that the premises has traded outside the permitted hours).

Should your client wish the business to trade during the hours as proposed on the licence application you should submit a planning application seeking a variation of the approved hours. An application can be obtained via the Council's website, <http://www.southampton.gov.uk/>. Whilst each application is determined on its merits it is unlikely that consent would be granted for the opening hours that are proposed in the premises application.

Please can you ensure that your client is fully aware of the planning restrictions and the consequences for operating outside the permitted trading hours as allowed by planning permission so as to avoid the need for any future enforcement action to be taken.

Please do not hesitate to contact me if you wish to discuss this matter.

Regards

**Alan Watts**  
Planning Enforcement Officer  
Southampton City Council  
Tel: 023 8083 2464