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Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: Cllr Tony Sharps (Chairman)

CS/NG

Councillors: David Cox and Ian Dunbar

4 December 2013

Sharon Thomas / 01352 702324
sharon.b.thomas@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **THURSDAY, 12TH DECEMBER, 2013** at **2.00 PM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **APPLICATION FOR VARIATION OF A PREMISES LICENCE** (Pages 1 - 8)
For Members to consider and determine an application for variation of a Premises Licence

County Hall, Mold. CH7 6NA
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www.flintshire.gov.uk
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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **LICENSING SUB-COMMITTEE**
DATE: **THURSDAY, 12 DECEMBER 2013**
REPORT BY: **DIRECTOR OF ENVIRONMENT**
SUBJECT: **APPLICATION FOR VARIATION OF A PREMISES LICENCE**

1.00 PURPOSE OF REPORT

To request that Members determine an application to vary a Premises Licence.

2.00 BACKGROUND

2.01 The premise concerned is Turkish Delight, 10a Wrexham Street, Mold. Its location can be seen in Appendix 1.

2.02 The applicant is Mr Ibrahim Aygun.

2.03 The application was advertised in the correct manner.

3.00 CONSIDERATIONS

3.01 The application is to extend the terminal hour for the sale of Late Night Refreshment

3.02 The current hours for all licensable activities under Premises Licence number PN0118 are:-

Monday to Sunday	11.30am - Midnight
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3.03 The proposed hours are:-

Sunday to Thursday	11.00am - 00:30am
Friday & Saturday	11.00am - 01.00am

3.04 The applicant believes no further steps are required to promote the licensing objectives.

3.05 Representations were received from members of the public and Councillors Chris Bithell and Haydn Bateman. These can be seen in Appendix 2.

4.00 RECOMMENDATIONS

4.01 That Members determine the application to vary Premises Licence number PN0118 Turkish Delight, 10a Wrexham Street, Mold.

5.00 FINANCIAL IMPLICATIONS

5.01 None in respect of this report.

6.00 ANTI POVERTY IMPACT

6.01 None

7.00 ENVIRONMENTAL IMPACT

7.01 The prevention of crime and disorder and the prevention of public nuisance are two of the statutory licensing objectives.

8.00 EQUALITIES IMPACT

8.01 None

9.00 PERSONNEL IMPLICATIONS

9.01 None

10.00 CONSULTATION REQUIRED

10.01 None

11.00 CONSULTATION UNDERTAKEN

11.01 None

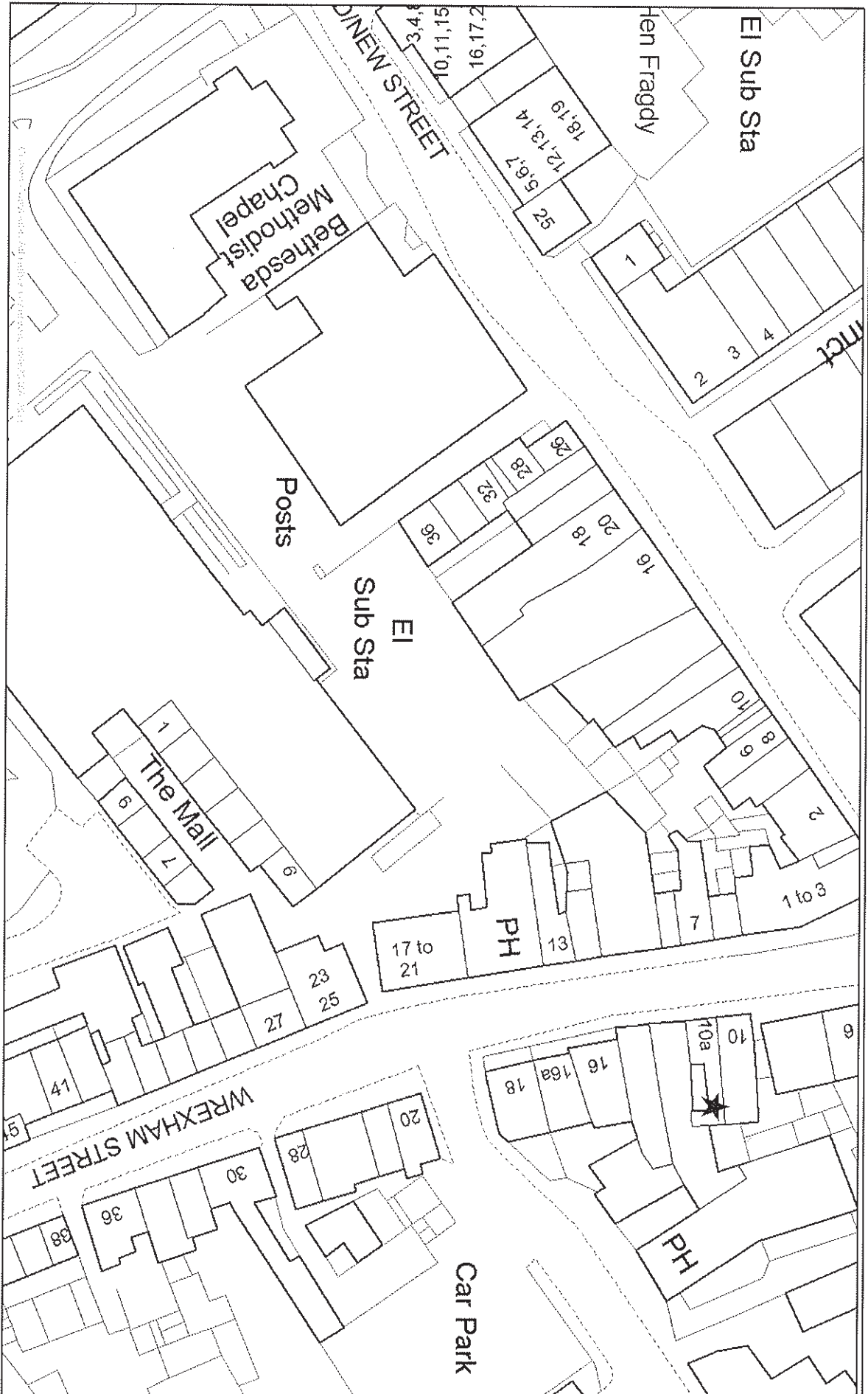
12.00 APPENDICES

12.01 See Attached

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Contact Officer: James Lowe
Telephone: 01352 7033765
Email: james.lowe@flintshire.gov.uk

Turkish Delight, 10a Wrexham St Mold



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Scale 1/769
 Centre = 323755 E 363815 N
 Date 27/1/2013
 Name



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121555

4th November 2013

To: Interim Public Protection Officer
Flintshire County Council
County Hall
Mold
CH7 6NF

Dear Sirs

Turkish Delight, 10a Wrexham Street Mold - variation of opening hours

We note with concern that the above business is seeking to extend their opening hours to be open to 12.30am on Sundays to Thursdays, and to 1.00 am on Fridays and Saturdays.

Although we are not immediate neighbours of these premises, we remember the amount of noise and disorder when Harun's Kebab House (which is very close to our house) was open after midnight. We had frequently observed groups of people gathering outside the shop and making a lot of noise, something which seldom happens before midnight. From our observation, the outside gathering was at least in part so people could smoke. When Harun's applied to extend their opening hours officially, we objected and the extension was refused.

Although there is some noise occasionally from the Ex-Servicemen's club (immediately opposite our house) this is not a regular occurrence. We very much fear that if the Mold Kebab House is allowed to extend its opening hours, other similar fast food establishments will follow suit and the disturbance we experienced in the past will be renewed and occur most weekends. There are a number of residential properties nearer to Turkish Delight than we are.

Carol Farrer
Mary Brotherston

Carol E Farrer
Mary Brotherston

Interim Public Protection Officer
 Flintshire County Council
 County Hall
 Mold
 Flintshire
 CH7 6NF

121539

Ref: Turkish Delight, 10a Wrexham Street, Mold. Application to vary hours for late night refreshment, Sunday to Thursday 23:00 to 00:30 and Friday to Saturday 23:00 to 01:00

Dear Sir/Madam,

My wife and I are residents on Wrexham Street, approximately 170 metres from the above establishment. We have been resident at our address for over ten years and our house has been owned by my family for over fifty years.


We already suffer from noise and litter associated with the over population of take away premises on Wrexham Street, which at present are all *supposed* to close no later than midnight. In fact several of these establishments exceed their current licensed hours, particularly on Friday and Saturday nights.

My specific objections to this variation in hours for late night refreshment are as follows.

- No other take away food establishments in Mold are currently able to operate beyond midnight, in fact I believe no others in the vicinity of Mold can operate beyond midnight. If this establishment is granted an extension to 01:00 it will inevitably lead to further disturbance caused by people staying on Wrexham Street later into the early hours of the morning. At present there is nothing to encourage people to linger when leaving licensed premises.
- Later opening hours will encourage vehicle traffic from outside Mold to the one establishment that is open beyond midnight. We already suffer with vehicle noise associated with take away premises, especially slamming doors, revving engines and people then racing down Wrexham Street.
- Later opening hours will encourage people who have had up to another hour in public houses to linger. They will be further intoxicated by this time and noise nuisance, street urination and even added violence is inevitable.
- If this licence is granted it is inevitable that other will follow. I am specifically concerned with Haruns Takeaway which is immediately opposite my property and causes my wife and I regular distress through noise from drunken and argumentative customers and vehicle noise. They also continue to operate beyond midnight on a regular basis.

I implore the Licensing authority to decline this application to vary hours for late night refreshment and any others in Mold which would result in opening times after midnight.

Yours sincerely



Mr RG Davison



Objection to the application to extend the opening hours at the Turkish
Delight fast food premises, Mold

robert.c.bithell to: licensing@flintshire.gov.uk
Please respond to robert.c.bithell

06/11/2013 20:11

Dear James Lowe,

As the local councillor for Mold East Ward, I wish to register my objection to the application to extend the hours of opening for the Turkish Delight fast food premises in Wrexham Street, Mold to 12.30 a.m. Sunday to Thursdays and to 1 a.m. on Fridays and Saturdays.

Wrexham Street is a mixed business and residential area/ There are a number of flats above shops and also apartment blocks in Wrexham Street, many of them occupied by elderly residents. These residents often experience disturbances from clients going to or coming from these fast food premises both on foot and in cars e.g. people shouting, arguing loudly, screaming, fighting, banging car door, beeping horns, starting and revving engines, parking across driveways causing litter etc. Whilst many of them recognise that business owners have to run a business, there is a limit to what they can be expected to tolerate. They surely have a right to sleep in peace particularly after midnight. To extend business operations into the early hours of the morning will inevitably mean disturbance of their peace and broken sleep patterns which they should not be expected to endure. When such applications have been made in the past they have been resisted not only by local residents but also by the local police who are called out to deal with such incidents often at times when their numbers are stretched and they are being called upon to deal with similar incidents on other local towns and villages. We are often reminded that we need not only to deal with crime but also with the causes of crime. It is a well known fact that premises such as these draw numbers of people late at night when they vacate licensed premises in various states of inebriation which makes them more likely to get into trouble with the law.

There are a number of fast food premises along the entire length of Wrexham Street and it is inevitable that if this application is granted it will be followed by similar applications from all the other premises. There is already an application to extend the hours of operation at the Kebab House in the same street which proves the point. If this is granted it will be impossible for the Committee to resist other applications which will make life even more difficult for the local residents.

I hope that the Committee will exercise the good sense it has in the past and support local residents and the local police in rejecting this application.

I trust that you will notify me when this application is due to be heard by the Licensing Committee so that I can notify local people and also speak on their behalf if they wish me to do so.

Yours sincerely,

Cllr Chris Bithell

Flintshire County Councillor and Mold Town Councillor

Mold East Ward.



Message from Councillor Haydn Bateman
Anne Mcglade to: James Lowe

13/11/2013 16:15

History: This message has been replied to.

Dear Mr. Lowe,

Re: Turkish Delight, 10a Wrexham Street, Mold

Thank you for your e-mail regarding the above. I strongly object to the extension of their licence as follows:-

1. Setting a precedent for other Takeaways in the area to extend their hours of business
2. I have received many complaints from the residents re noise from existing hours, cars etc.

Yours sincerely,
Councillor Haydn Bateman

Anne McGlade
Members' Services' Assistant
Democratic Services
Tele: 01352 702153
Fax: 01352 702150
E-Mail: Anne_McGlade@Flintshire.Gov.UK

Should you wish to e-mail the Members' Services Team, please send to:
member.services@flintshire.gov.uk