

Decision Maker: LICENSING SUB-COMMITTEE

Date: 03/04/2024

Decision Type: Non-Urgent Non-Executive Non-Key

Title: APPLICATION FOR A NEW PREMISES LICENCE AT
SEL'S KEBAB STATION APPROACH ORPINGTON BR6 0ST

Contact Officer: Steve Phillips, Nuisance, ASB, Health & Safety and Licensing Manager
Tel: 020 8313 4659 E-mail: steve.phillips@bromley.gov.uk

Chief Officer: Colin Brand Director: Environment and Community Services

Ward: Petts Wood and Knoll

1. Reason for report

- 1.1 To provide the Licensing Sub-Committee with information supporting them to determine this licence application.
-

2. RECOMMENDATIONS

- 2.1 The Licensing Sub-Committee asked to determine this application having taken into account the Council's Statement of Licensing Policy 2021 to 2026 and written and oral representations by the applicant and objectors.

Members can

1. Grant the licence.
2. Grant the licence with the addition of conditions necessary to promote any of the licensing objectives.
3. Reject the application.

Impact on Vulnerable Adults and Children

1. Summary of Impact:

When making decisions under the Licensing Act 2003 the Council is required to promote the licensing objectives, one of which is the protection of children from harm.

Corporate Policy

1. Policy Status: Existing Policy:

The Council has adopted a statement of its licensing policy under the Licensing Act 2003 for the period 2021 to 2026.

2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Regeneration

Financial

1. Cost of proposal: Licensing statutes allow for an appeal to the Magistrates Court against the Council's decision. Should an appeal be made, costs are likely to be incurred but it is not possible to quantify these.
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Public Protection and Portfolio
 4. Total current budget for this head: £2.4M
 5. Source of funding: 2023/2024
-

Personnel

1. Number of staff (current and additional): 1 Licensing Officers supported by 3.5 FTE admin
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Council is the Licensing Authority for the Licensing Act 2003. This is a Non-Executive function and is delegated to the General Purposes and Licensing Committee. Where representations are received about a licence application, it is referred to the Licensing Sub Committee for a hearing and decision.
 2. Call-in: Not Applicable
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Property

1. No property implications for this application/licence.
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: There are no significant implications.
-

Customer Impact

1. When considering and making a determination on this application Members need to balance the benefits of holding the licence against any adverse effects to the Public, Local Residents and Businesses by considering its impact against the licensing objectives
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? **Yes**. Ward Members were notified about the application by email on 12th July 2023.
 2. Summary of Ward Councillors' comments: An objection was received from Cllr Owen on the grounds of public nuisance.
-

Responsible Authorities Views

1. Have Responsible Authorities been asked for comments? **Yes**. They were notified about the application by email on 12th July 2023.
 2. Summary of Responsible Authorities comments: No objections were received from Responsible Authorities in respect of this application.
-

Residents and Interested Parties

2 objections were received from residents on the grounds of public nuisance and 2 representation were received in support of the application.

These representations can be found in **Appendix 2**.

3. COMMENTARY

3.1. Licensing Act 2003.

The Licensing Act 2003 states that any premises requires a licence/certificate issued by the Council (premises licence/club premises certificate) where the following activities occur:-

Provision of regulated entertainment

- a) Plays. (Where the audience exceeds 500 people)
- b) Films.
- c) Indoor sporting events. (Where the audience exceeds 1000 people)
- d) Boxing or wrestling entertainment.
- e) Live music. (subject to the Live Music Act 2013 exemptions)
- f) Recorded music.
- g) Performances of dance. (Where the audience exceeds 500 people)

Provision of late-night refreshment (between 2300hrs and 0500hrs).

Supply of alcohol (on and off sales).

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place.

Licences/Certificates may be issued subject to any terms, conditions or restrictions the Council feels are appropriate to address any or all of the four licensing objectives.

The Council has previously agreed Bromley's Statement of Licensing Policy for the Period 2021 – 2026.

The Licensing Sub-Committee must consider the Statement of Licensing Policy and any Special Policy of Cumulative Impact currently in force when making any decisions in respect of these applications.

Members' attention is drawn to the following parts of the policy which are relevant to this application.

Description of the Premises

The premises is a takeaway with limited indoor seating that sits on the exit of Orpington Station. A satellite image and street view of the premises can be found in **Appendix 4**.

Licensing History

This is a new premises licence application and this premises has not been licensed previously. This application was originally heard on 19th September 2023 and adjourned until the appropriate planning permission had been obtained. On 26th January 2024 planning approval was given as follows: -

“The use shall not operate on any Bank Holiday, Christmas Day or Good Friday nor before 07:00 on any other day, or after 00:00 on Monday to Thursdays, 01:00 Friday and Saturday and 23:00 on Sundays. Reason: In order to comply with Policy 119 of the Bromley Local Plan and in the interest of the amenities of the area.”

A full copy of the planning approval can be found at **Appendix 5**.

Details of the Application

This is an application for a new premises licence for **Late Night Refreshment Only**, Monday to Thursday until 00:00hrs and Friday and Saturday until 01:00hrs.

A full copy of the application form and plan can be found in **Appendix 1**.

Representations

During the public consultation period the Council received 3 representations objecting to the application and 2 in support of the application. No representations were received Responsible Authorities. A full copy of the representations can be found in **Appendix 2**.

Note: Whilst the Council did not receive a representation from the police, they did contact the applicant directly who agreed to voluntarily add a number of conditions to the licence. These additional conditions can be found at **Appendix 3**.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Licensing regimes provide for additional controls through specific permissions to undertake activities. Both the Licensing Act 2003 and Gambling Act 2005 contain licensing objectives which seek to protect particular vulnerable groups. In the case of the Licensing Act 2003 it seeks to protect children from harm whereas the licensing objectives under the Gambling Act 2005 are wider and seek to protect children and vulnerable adults from being harmed or exploited.
- 4.2 Businesses and the Council are required to promote these objectives in the way they operate or make decisions.
- 4.3 Details of applications under both Acts are referred to the appropriate safeguarding teams for comment. None were received in this instance.

5. TRANSFORMATION / POLICY IMPLICATIONS

- 5.1 Both the Licensing Act 2003 and the Gambling Act 2005 require the Council to prepare, consult on and publish statements of their licensing policy. These must be reviewed at least every 5 years under the Licensing Act and 3 years under the Gambling Act.
- 5.2 Members should make decisions in accordance with these policies but are free to depart from them with good reason.
- 5.3 The current policies are -
 - Statement of Licensing Policy 2021 - 2026
 - Statement of gambling policy 2022 - 2025

6. FINANCIAL IMPLICATIONS

- 6.1 There are rights of Judicial Review and appeal to the Magistrates Court against the decision of the Sub-Committee under both the Licensing and Gambling Acts. If an appeal were to be lodged there are costs associated with defending it. These are difficult to quantify and the Courts can

award costs. In the event of a successful appeal we could pay the costs of the appellant as well as our own. Equally if we successfully defended an appeal, it is open to the Court to order our costs to be paid by the appellant.

7. PERSONNEL IMPLICATIONS

- 7.1 Number of staff (current and additional): 1 Licensing Officers supported by 3.5 FTE Administration Staff.
- 7.2 If from existing staff resources, number of staff hours: A licensing application typically takes 7hrs professional officer time and 5hrs administration time.

8. LEGAL IMPLICATIONS

- 8.1 Any Parties involved in a hearing before a Sub-Committee can seek a Judicial Review if the Local Authority has failed to administer the hearing in accordance with proper procedures.
- 8.2 Any Party involved with the hearing before licensing subcommittee can appeal any decision made at that hearing to the magistrate's court.
- 8.3 The Council has adopted a procedure for the conduct of hearings.

9. PROCUREMENT IMPLICATIONS

There are no procurement implications.

10. EQUALITIES IMPLICATIONS

- 10.1 The Equality Act (2010) requires public bodies to have due regard to the need to:

- *eliminate unlawful discrimination, harassment, victimization and any other conduct prohibited by the Act.*
- *advance equality of opportunity between people who share a protected characteristic and people who do not share it; and*
- *foster good relations between people who share a protected characteristic and people who do not share it.*

10.2 The protected characteristics covered by the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

10.3 There is no indication that the proposed recommendations will have a disproportionate impact on any individuals or groups with a shared protected characteristic.

11. ENVIRONMENTAL IMPLICATIONS

There are neutral environmental and carbon reduction implications from the proposals contained in this report.

12 WARD COUNCILLOR / OTHER STATUTORY CONSULTEES VIEWS

- 12.1 1 objection was received from Cllr Owen. on the grounds of public nuisance. .

12.2 Summary of Ward Councillor comments – The Ward Councillor objection was on the grounds of public nuisance.

12.3 Responsible Authorities Views - No representations were received Responsible Authorities.

12.4 Summary of Responsible Authorities comments: N/A

The following Responsible Authorities were notified about this application and their views sought.

Responsible Authority	Date Notified	Comments
Metropolitan Police	12 th July 2023	No objection if conditions agreed
Licensing Authority	12 th July 2023	
Planning Authority	12 th July 2023	No response
Trading Standards Service	12 th July 2023	No response
Public Health Nuisance Team	12 th July 2023	No objection
Health & Safety Team	12 th July 2023	No response
Child Protection Team	12 th July 2023	No response
Fire Authority	12 th July 2023	No objection
Public Health	12 th July 2023	No response

Note: Whilst the police did not make any representations to the Licensing Authority, they did contact the applicant directly and requested that the hours were amended and a number of conditions be voluntarily added to the. The applicant agreed to these conditions and timings which can be found at **Appendix 3**.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Soft File Computer based records

Appendix 1

Application Form & Premises Plan

Application for a Premises Licence under the Licensing Act 2003

Please read the following instructions first –

- Use the Extra Page at the end of the form to provide further details if necessary
- When it is complete you can submit the form directly to us – click on the Submit Form button. You may wish to print and keep a copy of the completed form for your records. For help information about filling in this type of electronic form, click on the help information button
- [Please read the available information on the Licensing Act 2003](#)
- [Before completing this form please read the guidance notes](#)

I / We (premises licence holder name)

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, ordinance survey map reference or description

Sel's Kebab
Station Approach
Orpington

Postcode

BR6 0ST

Telephone number of premises

01689 831444

Non-domestic rateable value of premises (if [you are unsure, you can use this Government link for more information](#))

£12,000.00

Trading name of the business

Sel's kebab

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as:

As a Limited Company

Please confirm:

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 His Majesty's prerogative

INDIVIDUAL APPLICANTS (fill in as applicable)

Title

First names

Surname:

Are you 18 years or older? Yes No

Date of Birth

Current postal address if different from premises address

Postcode

Daytime contact telephone number

Email address

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Title

First names

Surname

Date of Birth (you must be 18 years old or over)

Current postal address if different from premises address

Postcode

Daytime contact telephone number

Email address

OTHER APPLICANTS

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

Name

SAMSUN55 LTD

Address

Station Approach
Orpington
BR6 0ST

Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)

Limited Company

Telephone number (if any)

Email address (optional)

Operating Schedule

When do you want the premises licence to start?

06/07/2023

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

If 5,000 or more people attend the premises at any one time, please state the number expected to attend

General description of premises

My Shop Is A Kebab Shop

I Sell Kebabs Burgers

Shish

Chips And Doner I Need Open My Business Until 24.00 In Weekdays And 01.00 In The Weekends So I Could Serve Customers Who Come Out From The Trains In Orpington Train Station As My Premises Is In The Approach To The Orpington Train Station

Operating Schedule Continued

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act)

Provision of regulated entertainment

- 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) performance 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)

- i) **Provision of late night refreshment** (if ticking yes, fill in box I)

- j) **Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M (on the following pages)

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 read guidance note 2)		Indoors	<input type="checkbox"/>				
					Outdoors	<input type="checkbox"/>				
					Both	<input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)							
Mon	<input type="text"/>	<input type="text"/>	State any seasonal variations for performing plays (please read guidance note 4)							
	<input type="text"/>	<input type="text"/>								
Tues	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Wed	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Thur	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Fri	<input type="text"/>	<input type="text"/>					Non standard timings. Where you intend to use the premises for the performance of a play at different times than those listed, please list (please read guidance note 5)			
	<input type="text"/>	<input type="text"/>								
Sat	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Sun	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								

B

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

C

Indoor Sporting Events Standard days and timings (please read guidance note 6)				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)	
Mon	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Tues	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Wed	<input type="text"/>	<input type="text"/>		State any seasonal variations for indoor sporting events (please read guidance note 4)
	<input type="text"/>	<input type="text"/>		
Thur	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for indoor sporting events at different times than those listed, please list (please read guidance note 5)	
	<input type="text"/>	<input type="text"/>		
Sat	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Sun	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		

D

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

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 read guidance note 2)		Indoors	<input type="checkbox"/>				
					Outdoors	<input type="checkbox"/>				
					Both	<input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)							
Mon	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Tues	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Wed	<input type="text"/>	<input type="text"/>					State any seasonal variations for performance of live music (please read guidance note 4)			
	<input type="text"/>	<input type="text"/>								
Thur	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the performance of live music at different times than those listed, please list (please read guidance note 5)							
	<input type="text"/>	<input type="text"/>								
Sat	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Sun	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								

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 read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)			
Mon	<input type="text"/>	<input type="text"/>	State any seasonal variations for playing recorded music (please read guidance note 4)			
	<input type="text"/>	<input type="text"/>				
Tues	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Wed	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Thur	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times than those listed, please list (please read guidance note 5)			
	<input type="text"/>	<input type="text"/>				
Sat	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Sun	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both? (please read guidance note 2)	Indoors <input type="checkbox"/>				
				Outdoors <input type="checkbox"/>				
				Both <input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>				State any seasonal variations for the performance of dance (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times than those listed, please list (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p> <div style="border: 1px solid black; height: 80px; width: 100%;"></div>					
			<p>Will the entertainment take place indoors or outdoors or both? (please read guidance note 2)</p>		Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>				
			Both	<input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>				<p>Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times than those listed, please list (please read guidance note 5)</p>		
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both? (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)	
Mon	<input type="text" value="17:00"/>	<input type="text" value="00:00"/>	In the premises we do not put on music we just wait for customers and serve what they require and they leave	
	<input type="text"/>	<input type="text"/>		
Tues	<input type="text" value="17:00"/>	<input type="text" value="00:00"/>		
	<input type="text"/>	<input type="text"/>		
Wed	<input type="text" value="17:00"/>	<input type="text" value="00:00"/>	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
	<input type="text"/>	<input type="text"/>		
Thur	<input type="text" value="17:00"/>	<input type="text" value="00:00"/>		
	<input type="text"/>	<input type="text"/>		
Fri	<input type="text" value="17:00"/>	<input type="text" value="01:00"/>	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times than those listed, please list (please read guidance note 5)	
	<input type="text"/>	<input type="text"/>		
Sat	<input type="text" value="17:00"/>	<input type="text" value="01:00"/>		
	<input type="text"/>	<input type="text"/>		
Sun	<input type="text" value="17:00"/>	<input type="text" value="22:00"/>		
	<input type="text"/>	<input type="text"/>		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption: (please read guidance note 2)		On the premises	<input type="checkbox"/>		
					Off the premises	<input type="checkbox"/>		
					Both	<input type="checkbox"/>		
Day	Start time	Finish time	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	<input type="text"/>	<input type="text"/>	<div style="border: 1px solid black; height: 300px; width: 100%;"></div>					
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>					Non standard timings. Where you intend to use the premises for the supply of alcohol at different times than those listed, please list (please read guidance note 5)	
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

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

Title	<input type="text"/>
First Name(s)	<input type="text"/>
Surname	<input type="text"/>
Date of Birth	<input type="text"/>
Address	<input type="text"/>
Postcode	<input type="text"/>
Personal licence number	<input type="text"/>
Issuing licensing authority	<input type="text"/>

Please print the 'Consent of individual to being specified as premises supervisor' form and have the person specified above sign and confirm the details given.

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 time	Finish time	
Mon	<input type="text" value="17:00"/>	<input type="text" value="00:00"/>	Non standard timings. Where you intend to use the premises to be open to the public at different times than those listed, please list (please read guidance note 5)
	<input type="text"/>	<input type="text"/>	
Tues	<input type="text" value="17:00"/>	<input type="text" value="00:00"/>	
	<input type="text"/>	<input type="text"/>	
Wed	<input type="text" value="17:00"/>	<input type="text" value="00:00"/>	
	<input type="text"/>	<input type="text"/>	
Thur	<input type="text" value="17:00"/>	<input type="text" value="00:00"/>	
	<input type="text"/>	<input type="text"/>	
Fri	<input type="text" value="17:00"/>	<input type="text" value="01:00"/>	
	<input type="text"/>	<input type="text"/>	
Sat	<input type="text" value="17:00"/>	<input type="text" value="01:00"/>	
	<input type="text"/>	<input type="text"/>	
Sun	<input type="text" value="17:00"/>	<input type="text" value="22:00"/>	
	<input type="text"/>	<input type="text"/>	

M – 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)

We have cctv cameras that are operated in the premises 24/7 i have all the signs that i displayed in the premises for heath and safety

b) The prevention of crime and disorder

We have cctv cameras within the premises if anything occurs we will call the police straight away

c) Public safety

We have cctv camras running in the premises 24/7

d) The prevention of public nuisance

We will warn the customers verbally, if not succesfull we will call the police

e) The protection of children from harm

There is no harmful activity in my premises as my shop is only a kebab shop but incase of anything that can harm a child i will warn their parents

I have enclosed the plan of the premises

I have enclosed the consent form (for further information [please visit our application forms webpage](#) and follow the guidance under the **Variation of DPS for an Existing Licence** heading)

I understand I must now advertise my application

I understand that if I do not comply with the above requirements my application will be rejected

I am applying as an individual rather than a business / limited company and have enclosed proof of my entitlement to work in the UK (for information on what you can provide as evidence, [please reference our evidence guidance notes](#))

Please attach evidence using the 'Upload & Attach Files' button.

Types of files accepted as attachments: gif, jpg, jpeg, tif, tiff, bmp, png and pdf.

Please ensure that the documents you attach are complete and easy to read. If documents are incomplete or are difficult to read this may result in a delay in your application.

Declaration (please read guidance note 10)

[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.

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.

Confirmation of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If confirming on behalf of the applicant please state in what capacity.

Confirmation

Name

Yemen Ozdemir

Date

06/07/2023

Capacity (owner, director etc.)

Director

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

Confirmation

Name

Date

Capacity (owner, director etc.)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Name

Address

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by email, your email address (optional)

Use this page if there is any other information that you think we should know about.

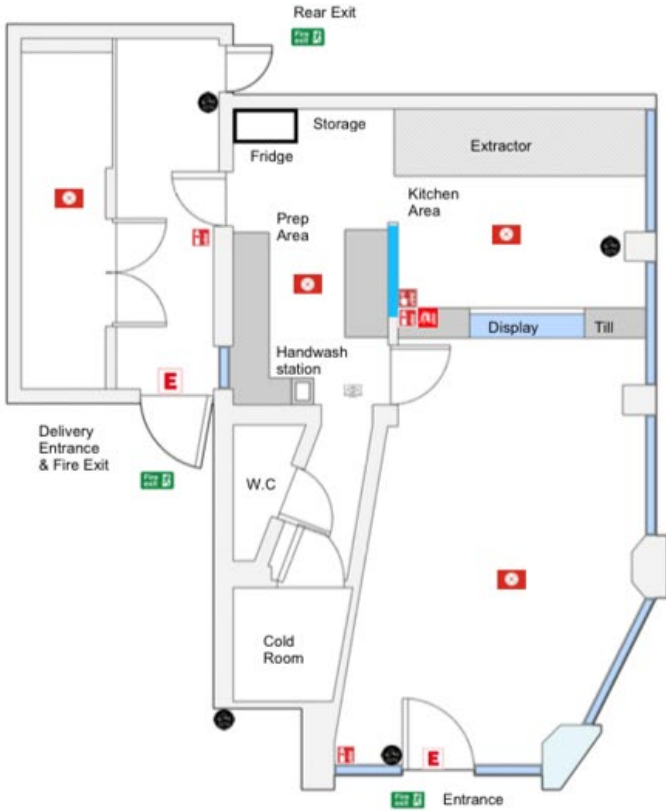
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.

Basically we would like a late night license so we could open our kebab shop until 00.00 am in the weekdays and 01.00am in the weekends

SEL'S KEBAB STATION APPROACH ORPINGTON BR6 0ST



-  FIRE EXTINGUISHER
-  FIRE ALARM
-  SMOKE & HEAT
-  FIRE DISPLAY LIGHT
-  FIRE EXIT
-  FIRE Blanket
-  CCTV CAMERA
-  CCTV



<p>euro safety international 84 HAYES LANE, BRIDLEY BR29EE T: 0203443 26 06 M: 07785 308 400 E: info@euro-safety-international.co.uk www.euro-safety-international.co.uk</p>	<p>CLIENT YEMEN OZDEMIR</p>	<p>PROJECT SEL'S KEBAB</p>	<p>PROJECT NO. SELK.001</p>	<p>ISSUE 09.06.2023</p>	<p>DRAWN BY ESI BY D.H.</p>	<p>DESCRIPTION FireSafety Plan</p>	<p>CLIENT ADDRESS Station Rd, London, BR6 0ST</p>	<p>SCALE 1:50 A3 SIZE</p>
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Appendix 2

Representations

Application comments:

Objection 01: Cllr Owen

Dear Paul,

I object to this application under the Public Nuisance licensing objective.

The concerns I have are

1. Potential noise nuisance to residents in Crofton Road, Newstead Avenue, Orchard Green, York Rise and other Farnborough & Crofton residents.
2. Risk of increased litter from discarded food containers.
3. An adverse effect on rapid dispersal of patrons from the Maxwell public house and Crofton Halls with a nearby offer of late night, takeaway only, refreshment.

I expect my own Petts Wood & Knoll constituents will suffer little effect as only trains from Sevenoaks and the coast stop at platform 2 on the west side of the station and trains from London terminate on the east side of the station and through train passengers for PW&K are also likely to exit on the east side of the station. I doubt that many will make the detour for a kebab (even if they know of the availability).

There is a risk that some may go for late night refreshment after leaving functions at the civic halls.

Orpington station has only moved into PW&K as a result of the latest boundary review but I have received correspondence from across the tracks from concerned residents who may wish to (or have already) make their own representations.

Kind regards,

Tony Owen

Application comments:

Objection 02: Crofton Road

I object to these proposals. The area is essentially a residential area. Aside from just 1 litter at the bus stop outside the train station there are no litter bins along ANY of the residential roads. It is already a common occurrence to find discarded take away wrappers in my front garden, this will be worse if people walk home along deserted streets at night eating a kebab.

I am also worried about increased noise levels at night. People should be encouraged to go home after midnight, or at least hang around in the town centre which can be policed properly, not lurk on residential streets where families are sleeping

Objection 03: Fairbank Avenue

The concerns residents have are:

Potential noise nuisance to residents in Crofton Road, Newstead Avenue, Orchard Green, York Rise and other Farnborough & Crofton residents.

Increased litter from discarded food containers. As a residential area there are no bins along the route customers would take to get home.

An adverse effect on rapid dispersal of patrons from the Maxwell public house and Crofton Halls with a nearby offer of late night, takeaway only, refreshment.

Poll results from our residents showed 64% of residents living within 1 mile of Sels Kebabs are concerned about noise and litter. 80% for those living in the immediate vicinity.

Kind regards,

REPRESENTATIONS OF SUPPORT

Support 01:

Extending to midnight will help the business to survive these tough times . Trains are late and this will also provide a safe place for young vulnerable peoplestr at night

Support 02: Crofton Road

Hello,

I would like to comment on the application by Sels Kebab to extend their opening hours.

My position is I support the application for the following reasons:

Application comments:

1. As the premises is situated at the station I would think that most of the clientele will come from late night trains and hence would already be in the area and the increase in footfall, cars and use of public transport would be minimal and hence will not cause an increased amount of traffic. In addition as the application does not include the selling of alcohol many disturbances caused by people being under the influence before their train journey would happen regardless

2. It is important to support both local businesses and there is a move locally to increase the night time economy and part of this would need some businesses to be open late

3. There is a concern there could be an increase in litter, that is possible but my experience living close to a bus stop is that we often get takeaway litter in our front drive and I have noticed much of it is from local chain restaurants and we have never noticed any of the polystyrene cartons popular with kebab shops in our front (even though Sels has been open for a few years), so I am not convinced there would be a significant increase in litter in fact I think the lack of litter bins locally had more of an impact on this issue.

I have emailed you directly as your website suggests there are issues with leaving comments

Regards

Appendix 3

Conditions Agreed with Police

Additional Conditions proposed by Police and Agreed by Applicant

1. Install and maintain a CCTV system covering the entrance of the premises and also the licenced area. Recordings to be maintained for a minimum of 28 days and if the equipment fails the police and licensing authority shall be informed. A notice shall be displayed stating that CCTV is in operation.
2. Ensure a member of staff trained in the use of the CCTV system be available at the premises at all times that the premises are open.
3. Maintain a comprehensive incident register shall be maintained, at the premises. The DPS shall ensure that the details of incidents shall be added to the register within 24 hrs of any incident. The following details shall be recorded:-
 - Date
 - Time
 - Location
 - Persons concerned
 - Summary of incident
 - Identification of any Emergency Services Personnel who attended

Appendix 4

Satellite Image and Street View of the Premises

Satellite Image of Sel's Kebabs, Station Approach, Orpington



Street View of Sel's Kebabs, Station Approach, Orpington



Appendix 5

Planning Approval for Extended Opening Hours



Town Planning

Civic Centre, Stockwell Close, Bromley BR1 3UH

Telephone: 020 8464 3333

Direct Line: 020 8313 4956

Email: planning@bromley.gov.uk

Fax: 020 8461 7725

Internet: www.bromley.gov.uk

DX5727 Bromley

Mr Yemen Ozdemir
C/o Mrs Beiza Tzivelek
Esi Licensing and Legal Consultancy
84
Hayes Lane
Bromley
BR2 9EE

Application No : / DC/19/01807/RECON1
Date : 26.01.2024

**TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 73)
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

**NOTIFICATION OF GRANT OF PLANNING PERMISSION FOR VARIATION OR REMOVAL OF
CONDITION(S)**

Take notice that the Council of the London Borough of Bromley, in exercise of its powers as local planning authority under the above Act, has **GRANTED** planning permission for the variation or removal of condition(s), referred to in your application received on 21st November 2023.

at : Sel's Kebab Station Approach Orpington BR6 0ST

Proposal: Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow variation of Condition 4 pursuant to permission ref. 19/01807/FULL2 (granted for change of use to Mixed Use A3 (Restaurants and Cafés) and A5 (hot food takeaway) to allow alterations to the hours of operation to operate until 00:00 Monday to Thursday, 01:00 on Friday and Saturdays and 23:00 on Sundays.

Subject to the following conditions **and for the reasons set out below:-**

1. The development to which this permission relates has already been commenced.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.
Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.
3. The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

4. The use shall not operate on any Bank Holiday, Christmas Day or Good Friday nor before 07:00 on any other day, or after 00:00 on Monday to Thursdays, 01:00 Friday and Saturday and 23:00 on Sundays.

Reason: In order to comply with Policy 119 of the Bromley Local Plan and in the interest of the amenities of the area.

Signed:

A handwritten signature in black ink, appearing to be 'JA', with a long horizontal flourish extending to the right.

Assistant Director (Planning)

On behalf of the London Borough of Bromley Council

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website at www.bromley.gov.uk/planning. Through the provision of a pre-application advice service the Local Planning Authority encourages early engagement to resolve problems that can occur in relation to dealing with a planning application by providing clear guidance as to how the aims of the development plan can be achieved in a sustainable and appropriate manner in accordance with paragraphs 188 - 190 of the National Planning Policy Framework 2012.

Approvals with or without conditions, or refusals of applications for planning permission under the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedure) Order 2015 (as amended) and applications for Listed Building and Conservation Area Consent under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

Southern Gas Network (SGN) has asked the Council to highlight the importance of working safely near gas pipelines. The following links give clear guidance on what to do and who to contact before starting any work and how to locate pipes near to your property.

- <https://www.sgn.co.uk/damage-prevention>
- <https://www.lineearchbeforeudig.co.uk/>

If you disagree with the decision of the Local Planning Authority (LPA) to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, you may appeal to The Planning Inspectorate (PINS). This is an independent Executive Agency which provides fair and impartial decisions on appeals against LPA decisions on planning consents in accordance with Section 78 of the Town and Country Planning Act 1990 and for Listed Building and Conservation Area consents in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeals must be made within 12 weeks of the Decision Notice date for householder planning applications and within 6 months for any other application. They must be submitted on a form, which is obtainable from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from <https://www.gov.uk/planning-inspectorate>. If an enforcement notice is or has been served relating to the same or substantially the same development as in your application, then the time limit to appeal will expire 28 days after the enforcement notice is served – except that you will have a minimum of 28 days to appeal after the right of appeal begins and the time limit will expire no later than it would if there were no enforcement notice.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (PlanningAppeals@bromley.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. See <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries> for further details.

The Secretary of State (including PINS) is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the Statutory requirements, to the provisions of the development order, and to any directions given under the order.

If planning permission, listed building or conservation area consent to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State (including PINS) on appeal, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Bromley a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Part VI Chapter 1 of the Town and Country Planning Act 1990 or in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission or consent is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 and in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Applications for Express Consent under the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007

If you disagree with the decision of the local planning authority to refuse consent for the display of an advertisement or to grant consent subject to conditions, you may by notice served within 8 weeks of the receipt of this notice, or such longer period as the Secretary of State may agree, appeal to the Planning Inspectorate in accordance with the provision of Part 3 Section 17 of The Town and Country Planning (Control of Advertisements) Regulations 2007. Forms are available from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from <https://www.gov.uk/planning-inspectorate>

Town and Country Planning Act 1990 (as amended). A Certificate of Lawfulness for an existing proposed use or development

If you are aggrieved by a refusal to grant, a Certificate of Lawfulness, you may appeal to the Planning Inspectorate under Section 195 and 196 of the Town and Country Planning Act 1990 (as amended).

AN IMPORTANT FOOTNOTE

Permission or approval referred to overleaf is confined to permission under the Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, the Town and Country Planning General Development Order 2015 as amended, and the Town and Country Planning (Control of Advertisements) Regulations 2007, and does not obviate the

necessity of compliance with any other enactment, by law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, Building Regulation, consent, approval or authorisation which may be required.

You are reminded that the Borough Council's permission does not modify or affect any personal or restrictive covenants, easement, etc., applying to or affecting either this or any other land or the rights of any persons (including the London Borough of Bromley Council) entitled to the benefits thereof or holding an interest in the property concerned in this development or in any adjoining property.

If the Council has approved your application, it can be challenged by judicial review within 6 weeks of the approval date.

ACCESS FOR PEOPLE WITH DISABILITIES

Your attention is drawn to British Standard and Government advice concerning means of access for people with a disability. This advice applies to educational, recreational and retail premises as well as office, factories and business premises.