

LICENSING SUB-COMMITTEE HEARING SUBMISSION

Date of Hearing: 14th May 2025

Premises: Gainsborough Grill – Takeaway, Gainsborough

Applicant: Nazilyarim Ltd (Directors: Mr. Ramazan Ozcan & Mr. Taner Ozcan)

Applicant Representative: Mr Bahram Shok, Mackenzie friend

1. Opening Statement

Chair, Members of the Sub-Committee,

Thank you for the opportunity to represent Gainsborough Grill in this application. We are here to respectfully request a modest two-hour extension to the current licensing hours, from 11:00 PM to 1:00 AM, for a well-established takeaway located in Gainsborough.

This request is rooted not in ambition, but in fairness and consistency. The premises previously operated with these extended hours until 2020, when the licence was revoked without the benefit of a hearing. This denied the operators their right to a fair process and an opportunity to present mitigating evidence.

Moreover, several comparable establishments in the area—particularly around Trinity Street—continue to trade until 2:00 AM. Granting this application would align Gainsborough Grill with those businesses and ensure a level playing field in Gainsborough's late-night economy.

2. Supporting Arguments

Legal

- The 2020 revocation was made without due process. There was no hearing or opportunity to defend the business.
- The Licensing Act 2003 promotes fairness, transparency, and the right to be heard. This application restores that opportunity.

Practical

- There is genuine customer demand for Turkish food past 11 PM, particularly from shift workers and late-night visitors.
- The business has operated compliantly since 2020, with no public complaints during standard hours.

- Late-night staff presence was for cleaning and preparation, not public service. A new protocol ensures future compliance.

Community-Focused

- Extending hours can improve safety by staggering closing times and reducing crowd congestion.
- The business agrees to adopt CCTV, litter patrols, and staff training to uphold licensing objectives.

3. Anticipated Objections & Rebuttals

Objection: The takeaway has been witnessed serving after 11 PM without authorisation.

Rebuttal: Staff remained on-site for private cleaning and preparation. Internal controls are now in place to prevent recurrence.

Objection: Concerns about antisocial behaviour or noise.

Rebuttal: No complaints have been linked to this premises. The business proposes measures to prevent disruption.

Objection: Revocation in 2020 reflects prior non-compliance.

Rebuttal: That decision occurred without a hearing. The applicant has demonstrated lawful conduct since then.

Objection: Granting the application may set a precedent.

Rebuttal: Several nearby takeaways already trade until 2:00 AM. This request seeks parity and fairness.

4. Closing Statement

Chair and Members,

In closing, this application is not about seeking advantage but about restoring fairness and opportunity. The operators recognise past issues and are committed to working closely with the Council to ensure compliance moving forward.

Denying this request would punish the business for actions taken without the benefit of due process. Approving it with reasonable conditions provides oversight, safety, and fairness.

We respectfully request you grant the extension to 1:00 AM and apply any conditions you see fit.

Dear Members of the Licensing Sub-Committee,

14/05/2025

We write further to the recent communication regarding the adjournment of the hearing scheduled for 14 May 2025 concerning our application to extend the operating hours of Gainsborough Grill.

We have only recently been made aware that the premises licence was revoked in December 2020. To our knowledge, we were never properly notified of that decision, nor given the opportunity to attend a hearing or respond to the allegations at the time. We believe that this represents a serious procedural shortcoming and an unfair outcome for our business.

In the interests of fairness and efficient use of Council resources, we respectfully request that the Sub-Committee consider reinstating the previous two-hour extension (11:00 PM to 1:00 AM) without the need for a further hearing. We are committed to working closely with the Licensing Authority to address any historical concerns and to fully comply with all licensing objectives moving forward.

We have submitted a new application for the requested hours and paid the required fee. We would welcome the opportunity to resolve this matter without delay, and to agree to any reasonable conditions that the Sub-Committee may feel appropriate to ensure ongoing compliance.

We further note that other nearby premises on Trinity Street are currently licensed to operate until 2:00 AM, and our request merely seeks parity and fairness in supporting Gainsborough's late-night economy.

In light of all the above, we ask:

- Whether a hearing is necessary under these circumstances, and
- That the Council consider reinstating the previous extended hours (to 1:00 AM) by way of resolving this issue fairly and proportionately.

We remain committed to full cooperation with the Council and thank the Sub-Committee for its attention and fairness in reviewing this matter.

Yours faithfully,

Nazilyarim Ltd

Mr Ramazan Ozcan & Mr Taner Ozcan

Representative: Mr Bahram Shok (Mackenzie Friend)

From: Bahram Shokrollahi [REDACTED]
Sent: 14 May 2025 23:51
To: Tracy Gavins [REDACTED]
Cc: Taner Özcan [REDACTED]
Subject: Re: Licence application (Mr Tanner Ozcan) Gainsbrough Grill

CAUTION: External email, think before you click!

Subject: Request for Consideration of Application Without Hearing – Mr. Taner Ozcan

Dear Tracy,

I kindly ask that you forward this message, along with the attached statement in support of Mr. Taner Ozcan, to the Head of your Department for consideration.

Given the clear and compelling case outlined in the statement, I believe it would be fair and proportionate to grant the requested two-hour extension to the premises licence without the need for a formal hearing. Doing so would not only save time and resources for all involved but also reflect a sensible and just decision in support of a local business striving to operate responsibly and equitably.

I respectfully urge the Council to consider this request seriously and to take the necessary steps to approve the application in the interest of fairness, consistency, and efficiency.

Thank you for your attention and cooperation

Kind regards

Bahram Shok

Statement in Support of Mr. Taner Ozcan

Application to Extend Licensed Closing Time from 11:00 PM to 1:00 AM

Dear Members of the Licensing Sub-Committee,

I am writing in support of Mr. Taner Ozcan and his application to extend the licensed closing time of his takeaway premises in Gainsborough from 11:00 PM to 1:00 AM.

This application is submitted in good faith and at significant financial cost by Mr. Ozcan, a young entrepreneur who has demonstrated clear intent to operate within the framework and expectations set by the Council. He has shown willingness to cooperate, comply, and communicate—core values any licensing authority should encourage.

It is important to distinguish Mr. Taner Ozcan's application and current business from historical matters involving another individual, Mr. Ramazan Ozcan, in 2020. At that time, a previous licence was revoked. While that revocation is said to have followed a remote hearing during the COVID period, Mr. Taner Ozcan continues to maintain—and rightly so—that the process was experienced as unfair and that the impact of that decision has been allowed to cast a long and unjust shadow over any subsequent applications, including the current one. That is fundamentally incompatible with the principles of procedural fairness.

This is a new company, a new applicant, and a fresh effort to serve the local community in accordance with the law. The Council must not allow past issues involving another operator to bias its consideration of this application. To do so would be to penalise Mr. Taner Ozcan for matters over which he had no control. This would not only be legally questionable but also ethically indefensible.

Moreover, it is necessary to place this application in the context of the local trading environment. There are other takeaway establishments in the vicinity currently permitted to operate until 2:00 AM. Denying Mr. Ozcan the same opportunity, despite his compliance and professionalism, creates an uneven playing field and undermines the principles of fairness and competitive neutrality. In today's fragile economic climate, such inequity can mean the difference between the survival and closure of a small business.

Mr. Ozcan has been transparent throughout the process. When the need for an interpreter became apparent, he notified the Council. Any delay caused by this request was in the interest of ensuring full understanding and meaningful participation at the hearing—something that benefits not only the applicant but also the integrity of the proceedings.

I urge the Sub-Committee to judge this application on its own merits. Mr. Ozcan is not seeking a privilege; he is seeking parity, fairness, and a genuine opportunity to contribute to the local economy. He is ready to meet any conditions the Council deems appropriate to uphold the licensing objectives. What he seeks is the chance to operate under a reasonable and fair closing time—one that matches his peers and reflects modern trading realities.

For these reasons, I respectfully request that the Council grant Mr. Taner Ozcan's application for an extension of trading hours from 11:00 PM to 1:00 AM.

Thank you.

Sent from my iPhone