

RUNNYMEDE BOROUGH COUNCIL

LICENSING SUB- COMMITTEE
LICENSING ACT 2003

HEARING DECISION NOTICE

APPLICANT: Mr Seysullah Saglam

PREMISES: 18 High Street, Addlestone, Surrey KT15 1TN trading as "Addlestone Charcoal Grill"

HEARING DATE: 19 January 2006

Sub-Committee: Councillors Mrs F.M. Angell, Mrs P.I. Broadhead and Mrs E. Gill

APPLICATION

This was an application for a premises license for the provision of late night refreshment only, under the terms of Schedule 17 Section 12 the Licensing Act 2003.

The application was for the provision of late night refreshment between the hours of 11.00 p.m. and 1.00 a.m. Monday to Sunday.

The applicant was represented by Mr Mark Williams of Solicitors, Colemans – CTTS.

There was one letter of representation received from Mr H.W. Barnard, Company Secretary of the Addlestone Courtyard Residents Management Limited, in respect of the property known as The Courtyard, High Street, Addlestone. There were no other representations and Mr Barnard did not attend.

The nature of the representation was that since the opening of the Addlestone Grill the residents of The Courtyard have had to endure verbal abuse, threats of violence and delays of twenty to thirty minutes before they have been able to enter The Courtyard due to customers of the Grill blocking the entrance with their cars. There were also complaints that female residents returning home late in the evening were being met by persons urinating against the wall and in the residents view, as expressed by Mr Barnard, was this was unacceptable and an extension of these activities should not have to be endured.

Mr Williams for the applicant advised that the Addlestone Grill had historically closed at 12.00 p.m. and now seeks to extend opening hours to 1.00 a.m. to test the market. He advised that his client, the applicant, had been in business fifteen years and there had been no problems in that time. He added that there were no representations from neighbours other than that received from The Courtyard and there were no representations from any other responsible authority. Turning to the nature of the complaint and the nuisance complained of he observed that there were a number of other licensed premises in the immediate vicinity enjoying the benefit of late opening hours and there was no evidence whatsoever that the activities complained of had anything to do with the clients of the Addlestone Grill.

The Sub-Committee, having carefully considered the letter of representation and the representations made by Mr. Williams on behalf of the applicant, were none the less concerned that later opening hours could have public nuisance implications. The Sub-Committee was mindful also of the number of other

licensed premises having late opening hours in the immediate vicinity of the Addlestone Grill and that there was no evidence of any nuisance or misbehaviour on the part of the patrons of the Addlestone Grill. Nonetheless they were concerned that there was potential for a nuisance arising from the later opening hours and were concerned that residents, albeit limited in number in the immediate vicinity, should not be unduly disturbed.

The Sub-Committee was also concerned to ensure that the applicant had in place appropriate signage asking clients to leave quietly and to dispose of litter responsibly.

The decision of the Sub-Committee was therefore that:

The application for a premises license in respect of the Addlestone Grill, 18 High Street, Addlestone for the provision of late night refreshment be approved subject to the following conditions:

1. Late night refreshment to be provided between the hours of 11.00 p.m. to 12 midnight Sunday to Thursday and 11.00 p.m. to 1.00 a.m. Friday to Saturday nights.
2. The applicant to provide, to the satisfaction of the Licensing Officer, suitable signage within the premises requesting patrons to leave quietly and to dispose of litter responsibly and within the litter bins provided whether within the premises or immediately adjacent to it.
3. The applicant to provide a litter bin of suitable size within the premises and with the consent of the Highway Authority one immediately outside and adjacent to the premises on the pavement.
4. The applicant at regular intervals throughout the opening hours, to clear up litter within a range of five metres of the premises. Such litter to be cleared up irrespective of the source of it.

Reasons for the provision of conditions:

The conditions are imposed for the prevention of public nuisance.

APPEAL

If the applicant or any person who made a relevant representation wishes to appeal against this decision an appeal must be made to the North West Surrey Magistrates Court at Woking within 21 days of the date of receipt of this Notice.

Dated: