

RUNNYMEDE BOROUGH COUNCIL

LICENSING SUB COMMITTEE

HEARING DECISION NOTICE

Applicant: Mr Ratnam Inthiravel
Premises: Favorite Chicken & Ribs 16 High Street Egham Surrey TW20 9DT
Hearing Date: Thursday, 19 January 2006
Sub Committee: Mrs P. I. Broadhead (Chairman), Mrs C.Y. Jones and Mrs. E. Gill

This was an application for a new premises licence under the Terms of Schedule 17 and Section 12 of the Licensing Act 2003.

The applicant attended with Mr. Sutharsan, the Manager of the premises.

One letter of representation was received from the Planning Authority. No other representations were received from any interested parties, the Police or any of the other responsible authorities.

A representative of the Planning Authority was not present at the Hearing.

The Sub-Committee heard from Mr. Inthiravel, who explained that he was requesting longer hours for the provision of late night refreshment. Currently the premises close at 23:00 hours and he has requested that they remain open until 00:00 hours Sunday to Thursday inclusive and until 01:00 hours on Fridays and Saturdays. Mr Inthiravel said that he was requesting longer hours as there was a market for it in the area. He said that people often knock on his door later than 23:00 hours requesting food and that he was in competition with the five businesses (located in the same arcade as his business) all of which already hold a premises licence and are operating longer hours.

The Sub-Committee asked whether the Police had ever been called to the premises or whether the applicant believed there was or has in the past been any problems with public nuisance or crime and disorder. The applicant responded that there had never been. The Sub-Committee asked about litter and the applicant explained that there are two large bins outside the premises which are emptied twice daily. The applicant said that there have never been any complaints regarding litter and that all packaging that has the Favorite Chicken & Ribs logo is easily identifiable.

The Sub-Committee told the applicant that there had been evidence that the applicant was currently closing later than the agreed terminal hour of 23:00 hours and asked the applicant why this was. The applicant explained that he often has people knocking on the doors and windows of the premises requesting food. He also said that his current manager has only been managing for two years and was at first unaware of the need to close the premises at 23:00 hours.

The written representation by the Planning Authority explained that the operator was continually exceeding the agreed opening hours granted under Planning Permission. RU.00/1320 and had been served a Breach of Condition Notice in August 2005. Despite the serving of the Breach of Condition Notice the operator continues to ignore the agreed hours of opening and prosecution statements have been prepared and are currently with the legal department. The Planning Authority objects to the application on the grounds that it is likely to cause a nuisance in the form of noise and disturbance to the residential properties above the unit and those in the immediate vicinity.

Having considered the application, the representation made by the Planning Authority and the submission of the applicant the Committee's decision was as follows:

Application for a new premises licence was approved subject to the premises closing to the public Monday to Saturday inclusive at midnight and Sunday at 23:00 hours.

Reasons for the Imposition of Conditions:

The conditions are imposed for the prevention of public nuisance.

Advice

The Sub-Committee informed the applicant that the premises still remain under a planning obligation to close at 23:00 hours and the applicant is required to obtain consent from the Planning Authority in order to trade until the new terminal hours listed above. The Sub-Committee also asked the applicant to explain this to the manager of the premises whose English is limited.