

Annex 4 – Representation in objection to variation of premises license (1)

Dear Licensing Committee.

This email is sent to you in response to the application for a Major Variation to the Premises Licence at Giggling Squid restaurant at 65 High Street, Reigate. RH2 9AE.

We write as directors of Pilgrim Mews, Reigate Ltd. to object to this application, on behalf of the 10 residential properties immediately behind the Giggling Squid restaurant. Pilgrim Mews, located behind Reigate High Street, was established as a residential community of 10 properties in 2009. In 2011 the Giggling Squid restaurant was established and a new licence approved for the premises, with significant restrictions attached to recognise the impact on the residents whose properties and communal grounds are immediately to both sides and the rear of the restaurant back yard.

As you will know, a temporary variation to the original licence was granted in September 2020 for the specific duration of the Covid restrictions and terminated in September 2021. At the time, residents were concerned about the significant changes this would have on the residential environment and expressed these concerns as objections to the application. However, once approved, the residents took the view that under the difficult circumstances of the time, an appeal to the decision was inappropriate and accepted the temporary change. Since September 2021, the restaurant has not made use of the yard for serving customers until recently (the summer of 2023) when it became apparent to the residents that this practice had been resumed. Objections to this were made to Giggling Squid via our managing agents, White and Sons of Dorking.

Subsequently we have become aware of the application to re-instate the Major Variation and have the following comments in support of our objection to this re-application to remove the restriction to outdoor service :-

1. The rationale for the original application and the subsequent approval in September 2020 was specifically driven by the need to support businesses during a period of Covid restrictions. These restrictions no longer apply and therefore we must assume that the reasons for the original decision by the council are no longer valid. The objections therefore are essentially the same but with the added knowledge of the actual impact that approval of this application will have.
2. To resume external service will inevitably increase the noise and smell pollution for residents considerably. It will significantly change the status of what is currently a very well defined residential environment. The privacy entitled to residents using the communal grounds will again no longer exist. With this gone, the use of the area is naturally restricted and the atmosphere for residents changes such that they are in effect, having to share their private grounds with a public eating area over which they have no control. At the time of the original licence approval in 2011, the restaurant owners acknowledged the need for the restrictions to respect the residential nature of the immediate

area behind the restaurant. There seems to be no justification for a change to this.

3. There is already a rodent problem at Pilgrim Mews which, according to the vermin control contractor, can be attributed to the presence of food outlets in the immediate area. External dining will obviously make the situation still worse.

In addition, we wish the committee to be aware of two concerns that residents noted during the temporary period of approval for outdoor service from September 2020 - September 2021.

1. Residents observed the following breach of condition 4 (there will be a member of staff present at all times to supervise the use of the area) :- there were many occasions when there was no member of staff present whilst patrons were seated outside. In practice, we believe that staff were present only when actually serving customers.

2. Patrons were regularly using a balcony which overlooks the communal grounds and which was quite clearly not part of the approved area for outside service.

We stress again that these concerns were not reported to the licensing committee during the temporary period on the grounds that a degree of tolerance was appropriate at the time of Covid restrictions.

We know of no other town centre restaurant offering external dining within a residential area and do not see any justification for setting such a precedent.