AGENDA ITEM NO: | WARD(S) AFFECTED: | REIGATE CENTRAL

SUBJECT: APPLICATION FOR A NEW PREMISES LICENCE FOR REIGATE KEBAB AND BURGER HOUSE 6 LONDON ROAD REIGATE RH2 9HY

PURPOSE OF THE REPORT: TO DETERMINE THE APPLICATION FOR A PREMISES LICENCE

OPTIONS

The Committee has the following options:

1. To grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers necessary for the promotion of the licensing objectives.

2. To exclude from the scope of the licence any of the licensable activities to which the application relates;

3. To reject the application.

The Committee has authority to determine the above options.

Background

1. An application for a premises licence has been received from Mr Erdal Eskisan, 6 London Road, Reigate, RH2 9HY. The application has been submitted on behalf of the applicant by Mr Murat Surucu, Flat 9, 52 High Street, Addlestone Surrey KT15 1TR

2. The application is for Late Night Refreshment only. The application, including a plan of the proposed licensed area is attached at Annex 1. A location plan showing the proximity of adjacent roads is attached at Annex 2.

3. The previous licence 08/02145/LAPREM was surrendered on 16th September by the licence holder who confirmed that she had not been involved in the
business for the past 3 to 4 years. This activity times in this application
duplicate those on the previous licence.

4. The last recorded complaints made to the Environmental Health Department
relating to overflowing bins and smells emanating from the premises were
received in 2012.

Application Summary

5. The application requests authorisation for the following activity and opening
times during the hours shown in the table below:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Monday to Thursday</th>
<th>Friday to Saturday</th>
<th>Sunday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Late Night Refreshment</td>
<td>23:00 hrs to 00:00 hrs</td>
<td>23:00 hrs to 02:00 hrs</td>
<td>23:00 hrs to 00:00 hrs</td>
</tr>
<tr>
<td>Opening Hours:</td>
<td>16:00 hrs to 00:30 hrs</td>
<td>16:00 hrs to 02:00 hrs</td>
<td>16:00 hrs to 00:00 hrs</td>
</tr>
</tbody>
</table>

6. The Operating Schedule includes the installation of security cameras but does
not propose any other additional measures to promote the licensing objectives.
The previous licence included the condition; ‘Prior to leaving the premises on
any trading day the applicant shall take all appropriate and necessary steps to
ensure all litter is removed from the immediate vicinity of the premises.

Representations.

7. A representation received from Surrey Police advised that based on the hours
proposed and the operating schedule, the application in its current format, did
not adequately promote the crime and disorder licensing objective. The
objection and a list of proposed conditions agreeable to the applicant are
attached at Annex 3.

8. A further 4 representations were received from interested parties. The relevant
parts of the representations refer to potential noise nuisance, odour, litter, crime
and disorder. The representations are reproduced in full at Annex 4.

Policy and Legal Considerations

9. Relevant to this application are sections 6 and 8 of the Council’s Statement of
Licensing Policy – The Licensing Objectives, Section 149 Equality Act 2010 -
2 Licensing Authorities (sections 4-6); Part 3 Premise Licences (sections 11-
23); section 182 Home Office guidance; section 183 Hearings and other matters
considered relevant on the facts.
Appeals Procedure

10. In cases where an application for a premises licence is either rejected or granted, in full or in part, an appeal may be made to the Magistrates Court within 21 days beginning with the day on which the appellant was notified of the decision. The rights of appeal are available to both the applicant, in cases where the application is rejected, and to persons who made relevant representations in cases where the application is granted.

Background Papers: None

Annex 1 Application form and premises plan
Annex 2 Location plan
Annex 3 Police representation and mediated conditions
Annex 4 Interested party representations