

**LICENSING SUB-COMMITTEE**

**25 October 2005**

Attendance:

Councillors:

Johnston (Chairman) (P)

Cook (P)

Pearson (P)

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1. **THE CHASE INN, WINCHESTER ROAD, WALTHAM CHASE**  
(Report LR184 refers)

The Licensing and Registration Manager reported that since publication of the above report, the applicant had met with representatives of Responsible Authorities and satisfied them regarding areas of concern about the future operation of the premises. The Sub-Committee therefore agreed that the item (which sought to vary the Premises Licence) be withdrawn and the application be determined by the City Secretary and Solicitor under delegated authority

RESOLVED:

That the application be determined by the City Secretary and Solicitor under delegated authority.

2. **SAM'S PIZZA & KEBAB, WINCHESTER ROAD, BISHOPS WALTHAM**  
(Report LR185 refers)

The Sub-Committee met to consider an application by Mr Bulent Ekinici for a Premises Licence for Sam's Pizza & Kebab, Winchester Road, Bishops Waltham during the Transitional Period under Schedule 8 paragraph 7(b) of the Licensing Act 2003 to allow for the sale of hot food and drink after 2300 each day. The details of the new Premises Licence were as set out in the report.

The Licensing Manager explained that the premises currently operated under restrictions imposed by planning permission. Attention was also drawn to the Informatives as set out in the report as requested by Environmental Services.

Members were advised that the Mandatory Conditions as set out on page 7 of the report had been included in error and should be discounted as were not appropriate to this application.

Members noted that no representations had been made from Responsible Authorities regarding the application.

In considering the proposals, Members referred to the three letters from Interested Parties (as appended to the report). In summary these highlighted concerns of local

residents of litter in the vicinity of the premises and also noise from congregations of people outside.

The Parties (in accordance with the Licensing Act 2003 (Hearings) Regulations 2005) present at the hearing were the applicant, Mr and Mrs Ekinci and the landlord of the premises (and previous operator) Mr Vine. There were no representatives of Interested Parties present.

Further to questions, Mrs Ekinci referred to a letter dated 19 October 2005 sent to the Licensing Manger responding to the concerns of local residents. Mrs Ekinci reported that they would be placing notices within the shop reminding patrons to leave quietly and also to provide an additional two bins outside. After discussion it was agreed that the bins would be fixed to the wall.

Mr Vine addressed the Sub-Committee in support of the application.

The Sub-Committee retired to deliberate in camera.

In his closing remarks, the Chairman stated that in reaching its decision, the Sub-Committee had given careful consideration to all the issues raised regarding the application, including those set out in the report and matters raised during the hearing. The Sub-Committee agreed to grant the application for a Premises Licence with the inclusion of the Informatives as set out in the report.

**RESOLVED:**

That the application be granted, subject to:

**Operating Hours**

1. The hours the premises may open for other than Licensable Activities shall be:

- |      |                                   |                            |
|------|-----------------------------------|----------------------------|
| (i)  | <b><i>Sunday to Thursday</i></b>  | <b><i>2300 to 0000</i></b> |
| (ii) | <b><i>Friday and Saturday</i></b> | <b><i>2300 to 0030</i></b> |

2. The hours the premises may be used the provision of late night refreshment shall be:

- |      |                                   |                            |
|------|-----------------------------------|----------------------------|
| (i)  | <b><i>Sunday to Thursday</i></b>  | <b><i>2300 to 0000</i></b> |
| (ii) | <b><i>Friday and Saturday</i></b> | <b><i>2300 to 0030</i></b> |

**All Licensing Objectives**

[Dealt with in relevant sections below].

**Crime and Disorder**

1. None.

**Public Safety**

2. None.

### **Public Nuisance**

1. Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents, to leave the premises and the area quietly and to dispose of litter responsibly.
2. Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents.
3. Litter bins should be provided for the use of the customers of the premises.

### **Protection of Children**

1. None

### **Informatives**

The following measures are recommended to the Licensee, but are not being suggested as conditions, and would not be enforceable under the Licensing Act. In many cases, however, they may be requirements under other legislation.

1. The Licensee is advised to establish the acceptable occupancy for the premises in accordance with fire safety legislation.
2. All doors on escape routes should be free from fastenings, or if fitted should only be simple fastenings that can be readily operated from the side approached by people making an escape. The operation of these fastenings should be without the use of a key and without having to manipulate more than one mechanism.
3. Periodic inspection certificates should be kept on the premises for the emergency lighting, fire fighting equipment, and fire alarm and detection system.
4. Copies of fire test results on any fabrics should be held on the premises for inspection if required.
5. If the premises are not fitted with a fire alarm and detection system then a written procedure for raising the alarm should be kept on the premises.

The meeting commenced at 9.00am and concluded at 9.55am.

Chairman