

Minutes of the LICENSING SUB-COMMITTEE held on THURSDAY 19 JANUARY 2017 at 10.00 am

Present: Councillor Morris (Chair)
Councillors McDonald and Petchey

Officers: L Gardner (Solicitor), J Sloan (Licensing Officer) and J Crighton (Democratic Services)

Also Present: Mr A Ekter (applicant), Mr I Aydaojan (applicant's interpreter), G Clarke (Senior Environmental Health Officer) and Councillor J Jeffreys (Woburn Sands Town Council)

LSC05 SUSPENSION OF COUNCIL RULE 4

RESOLVED -

That Council Procedure Rule 4 'Time and Place of Meetings' be suspended.

**LSC06 APPLICATION FOR A NEW PREMISES LICENCE FOR BODRUM
KEBAB AND PIZZA HOUSE, 37 HIGH STREET, WOBURN
SANDS**

The Sub-Committee considered an application for a new Premises Licence for Bodrum Kebab and Pizza House, 37 High Street, Woburn Sands.

The Licensing officer informed the Sub-Committee of the following:

- (a) the application was for a new Premises Licence and limited to late night refreshment (the supply of hot food and drink) on Fridays and Saturdays, 11.00 pm to midnight;
- (b) since November 2014, the premises had been operating for the additional hours applied for without the required licence in place;
- (c) following a visit to the premises and a subsequent meeting with the applicant, officers concluded that there had been a misunderstanding by the applicant following a discussion with the Council's Planning Department and he believed that he had been operating with the relevant permissions and licences;
- (d) on realising that he had made an error, the applicant ceased to trade the additional hours and submitted an application;
- (e) following the discussion and the action of the applicant, Licensing officers had made the decision to bring the premise into compliance rather than take any enforcement action; and

(f) there had been no complaints made against the premise.

Mr Idris Aydaojan (the applicant's interpreter), on behalf of Mr Ali Ekter (applicant), informed the Sub-Committee of the following:

- (a) he wanted the extra hour to accommodate patrons leaving nearby establishments;
- (b) he had received between 15-20 customers in the additional hours of trading;
- (c) he had not received any complaints regarding noise disturbance; and
- (d) his neighbour, who had objected to the application, confirmed that they had no issues with the noise and odour of the premise's extractor fan and, therefore, wished to withdraw the representation.

Gillian Clarke (Senior Environmental Health Officer) informed the Sub-Committee of the following:

- (a) That the following condition be placed on the licence, if granted:

"At the close of trading every day, the licence holder, or his representative, shall ensure all litter is removed from the vicinity of the business location. All litter and waste, including oil and grease products, must be suitably disposed of."

The applicant's representative confirmed that a bin was provided at the door of the premises for patrons to dispose of the waste and agreed to clear any rubbish that had accumulated in the immediate vicinity of the premises at the end of the working day, including around the War Memorial on the opposite side of the road as there was seating there where patrons may sit to eat their food.

The applicant's representative also confirmed that the oil and grease products are stored to the rear of the premises and are collected four weekly.

- (b) Environmental Health was happy with the operation for the disposal of oil and grease products, however, requested that the applicant contact them to discuss any changes to the arrangements.

Councillor Jacky Jeffreys, Woburn Sands Town Council, informed the Sub-Committee of the following:

- (a) the premise is situated in a residential area;
- (b) the additional hours requested would cause noise and odour problems;

- (c) other nearby establishments do have licensing hours in excess of 11.00 pm, however, these operating hours are not fully used and the establishments close at 11.00 pm; and
- (d) the Town Council had not received any complaints regarding the premise.

The Sub-Committee, in reaching its decision, reviewed the nine reasons for refusal submitted by Woburn Sands Town Council and considered the relevant points were numbers three and four, relating to litter and noise disturbance. It also considered the representation made by the local resident, however, on the basis that during the two years the premises was operating till midnight on a Friday and Saturday night and that the applicant had accepted the conditions requested by Environmental Health, the Sub-Committee were satisfied that, in granting the licence, it would not breach the licensing objectives.

RESOLVED -

1. That the licence for Late Night Refreshment for Friday and Saturday nights from 23.00 hours to 00:00 hours be granted.
2. The Sub-Committee noted that the applicant agreed to the conditions proposed by the Senior Environmental Health Officer and thus added the following conditions.
 - (a) that the area in the vicinity of the premise, including the area of the war memorial on the opposite side of the road be cleared of rubbish at the close of business; and
 - (b) that a bin be provided at the front door of the premise for rubbish collection.

THE CHAIR CLOSED THE MEETING AT 10.50 AM