

APPENDIX B

WAVERLEY BOROUGH COUNCIL
LICENSING SUB-COMMITTEE C
22 JULY 2013

LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE –
HASLEMERE BURGER AND KEBAB VAN, LION LANE, HASLEMERE, SURREY.

[Wards Affected: Haslemere Critchmere & Shottermill]

Summary and Purpose

1. The purpose of the report is to enable the Sub-Committee to consider an application from Tmeda Limited, for a new premises licence for, Haslemere Burger and Kebab Van, Haslemere, Surrey where 2 valid representations have been received.

Background

2. An application has been received for a new premises licence from Tmeda Limited for a burger and kebab van to be situated in Lion Lane, Haslemere for which street trading consent has been granted. The burger and kebab van has an existing premises licence when situated at Lion Green in front of the Apple Tree public house, which the applicant intends to keep. Attached at Annexes 2 and 2a are the street trading consent plan of the area showing the current licensed position and the new position applied for and the surrounding properties. A floor plan of the vehicle is attached at Annexe 3.
3. The application proposes that the licence will allow the premises to make provision of late night refreshment outdoors.

Activities Sought under this Licence Application

4. The applicant seeks to license the premises as shown below. An extract of the relevant pages from the application form is attached at Annexe 1. Attached to this document at Annexe 4 are some amendments to the application following discussions between the applicant and Surrey Police.
5. In brief summary, the applicant seeks the following activities in the new licence, if granted. Please see application for activities in full.

- **Provision of Late Night Refreshment**

Sunday to Thursday	2300 to 0000
Friday & Saturday	2300 to 0030

- **Opening Hours**

Sunday to Thursday	1800 to 0000
Friday & Saturday	1800 to 0030

Licensing Objectives

6. The four Licensing Objectives of the Licensing Act 2003 are set out below. Any representations for consideration must relate to one or more of these objectives, and representations must be from the responsible authorities and/or from any persons under this legislation.
 1. Prevention of Crime and Disorder
 2. Public Safety
 3. Prevention of Public Nuisance
 4. Protection of Children from Harm

Representations received

Responsible Authorities

7. There have been no representations from Responsible Authorities, however Surrey Police have been in negotiation with the applicant and amendments to the application were submitted and are reproduced at Annexe 4.

'Other Persons'

8. Besides Responsible Authorities, "other persons" may make representations. There have been 2 valid representations from "other persons". The representations are attached at Annexe 5. The applicant has handed officers a small note pad with numerous names and contact details in support of the application which officers will table at the hearing.

What the Sub-Committee may do

9. The Sub-Committee, after hearing from the applicant and those making representations, must take one or more of the steps listed below (if any) as it considers appropriate in order to promote the Licensing Objectives. Reasons must be given by the Sub-Committee for any decision made, since there is an opportunity for any applicant or any objector to appeal to the Magistrates' Court against the Licensing Sub-Committee decision. The steps are:
 - Grant the application subject to such conditions as are consistent with the operating schedule modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions;
 - Exclude from the scope of the licence any of the licensable activities to which the application relates;
 - Reject the application

Recommendation

The Sub-Committee is requested to consider the application for the grant of a premises licence on its merits.

1. Having regard to the representations made, the Sub-Committee must take such of the steps outlined below (if any) as it considers appropriate for the promotion of the Licensing Objectives. Those steps are:

- To grant the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives and any mandatory conditions;
- To exclude from the scope of the licence any of the licensable activities to which the application relates;
- To reject the application.

Background Papers

Application referred to above, representations referred to above.

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