

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:30	Please give further details here (please read guidance note 3) Seated table meals and takeaway.		
Tue	23:00	01:30			
Wed	23:00	01:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A		
Thur	23:00	03:00			
Fri	23:00	03:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) N/A		
Sat	23:00	03:00			
Sun	23:00	01:30			

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	01:30	
Tue	11:00	01:30	
Wed	11:00	01:30	
Thur	11:00	03:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) N/A
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	11:00	01:30	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

b) The prevention of crime and disorder

CCTV monitoring system to be maintained. Recordings will be kept securely for a minimum of 31 days and shall be made available to the Police on request.

Clear and legible notices to be displayed informing customers that CCTV is in operation.

All seating areas remain in full view of the counter.

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually.

All emergency exits shall be kept free from obstruction at all times.

d) The prevention of public nuisance

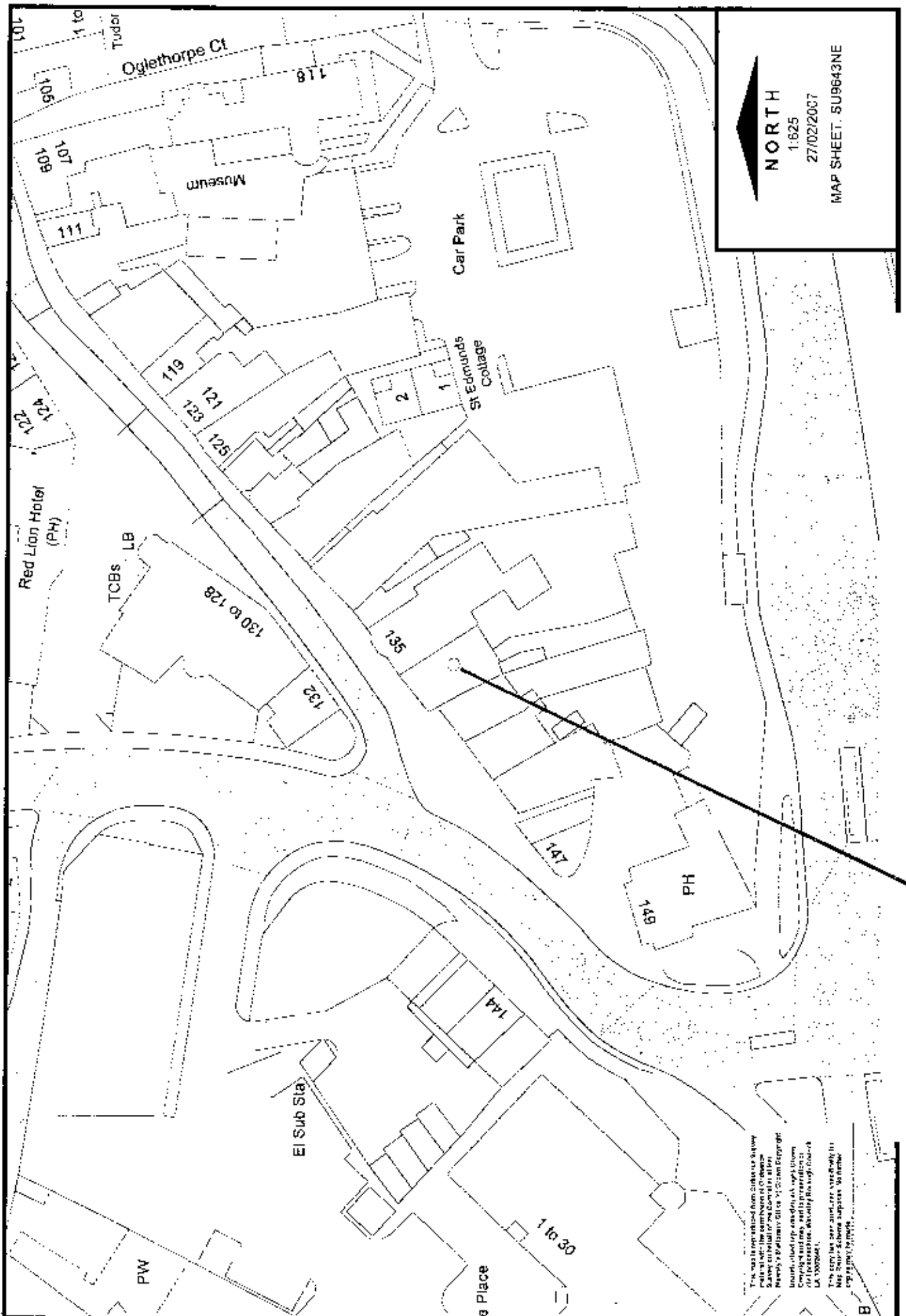
All customers are asked to leave quietly. Clear and legible notices will be displayed to remind customers to leave quietly.

Ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.

Trade waste agreement to be maintained at all times.

e) The protection of children from harm

N/A





NORTH

 1:625

 27/02/2007

 MAP SHEET: SU9643NE

GODALMING KEBAB CENTRE, 137 HIGH STREET, GODALMING

This was prepared from data supplied by the applicant and is not a site plan. It is not intended to be used for any other purpose. The applicant is responsible for the accuracy of the information provided. The information is provided for the applicant's use only. The applicant is responsible for the accuracy of the information provided. The information is provided for the applicant's use only.



■ SURREY ■
POLICE

Peter Hathaway
Waverley Licensing Officer

29th January 2007

Our Ref: 10378 WVC
Your Ref:

Licensing Officer
Waverley Borough Council
Council Offices
The Burys
Godalming
Surrey
GU7 1HR

Dear Sir/Madam,

Licensing Act 2003 – Application for Premises Licence

Godalming Kebab Centre, 137 High Street, Godalming

Surrey Police, as a Responsible Authority under Section 13(4) (b) of the Licensing Act 2003, wish to make a formal representation and object to the above application for a premises licence

The objection is based on our concerns over one or more of the licensing objectives:

The Prevention of Crime and Disorder	✓
Public Safety	
The Prevention of Public Nuisance	✓
The Protection of Children from Harm	✓

The reasons for our objection are as follows:

The application is to allow the premises to trade from Sunday through to Wednesday until 01:30 and until 03:00 on Thursday, Friday and Saturday.

There was a previous application and subsequent hearing on 19th January 2006 in relation to this premise. A licence was then granted for them to trade until midnight seven days a week.

There was then an application for a Variation to trade Sunday through to Thursday until 01:00 and until 02:30 on Friday and Saturday. At a subsequent hearing on 7th December 2006 this application was rejected.

The Premises Licence was held by Mr. Kenan Eskisan but due to ill health he is unable to continue running the business and on 3rd January 2007 the existing Premises Licence was surrendered.

A new Premises Licence application has been submitted in the name of Mr. Sinan Eskisan who is the brother of the previous licence holder.

We have the following incidents recorded at or near to the premises whilst operating unregulated hours.

28/1/05 21.45 hrs Assault / Breach of Anti Social Behaviour Order.

24/4/05 02.46hrs Assault in premises.

15/5/05 02.42hrs Public Disorder at premises.

30/5/05 02.45hrs Assault in premises.

18/9/05 02.32hrs -- Large disturbance at premises, customers refusing to leave.

28/10/05 23.25hrs – Fight between 8 males at premises and in street.

17/12/05 22.00hrs Alcohol confiscation from three 17 year old females in shop.

On the 21/11/05, prior to the second appointed day the premises was sent a letter from the Police Licensing Officer informing them that if they wished to trade after 23.00hrs from the 24/11/05 they would need a licence to be in force.

On the 25th November at 23.15 hrs the shop was trading without a licence and the proprietor interviewed by Police.

On the 26th November at 01.45hrs the shop was again found to be trading.
It also was trading on the 27th November at 01.45.

On the 2/12/05 the applicant was personally served a letter by Police warning him about trading without a licence. Despite this the premises was found to be still trading at 00.35hrs that evening. It was also trading on the 3/12/05 at 01.35hrs, on the 4/12/05 at 00.30hrs and on the 5/12/05 at 23.35hrs.

On the 6/12/05 the applicant was again spoken to by Police and his responsibilities under the Licensing Act 2003 were reinforced. Since this date the premises has been closing at 23.00. The applicant has shown a clear disregard for the principles of the Licensing Act 2003.

Godalming Town has a number of licensed premises either on or close to the High Street. The Kebab Shop is the only premises offering food late at night or early in the morning. Customers from the pubs and clubs migrate to the shop at closing time where they purchase food and congregate outside. They consume food either outside the shop or in a small garden area opposite. The majority of these people are either drunk or under the influence of intoxicating liquor. It has also become practice for Taxi's to stand close to the shop awaiting fares.

As you can see from the chronology it became a flash point for anti social behaviour and public disorder. Members of the public leaving the restaurants in the town found it an intimidating area to travel through. It is also our experience that children aged under 18 were going to the shop late into the evening mixing with adults. Due to the numbers of people at peak times traffic was prevented from passing by people spilling out onto the road.

There have been two hearings in relation to the premises licence at the Kebab shop. As a result of the Licensing Committee listening to the concerns of the Police the operating hours were restricted to closure at midnight and we have seen a vast improvement in crime and disorder in the Godalming High Street area. We have do not have any incidents of note recorded at the premises during 2006.

People no longer congregate at the top of the High Street, traffic is free to pass and the public are no longer intimidated by customers from the establishment.

The current application is seeking significantly longer hours with little or no measures being offered to promote the Licensing Objectives. We know little about the history of the applicant Mr Sinan Eskisan other than he is the brother of the previous licence holder Kenan Eskisan. At 23:50 on Friday 5th January 2007 police officers attended the premises and found it to be still open and serving customers. This was after the Premises Licence had been surrendered so the premises should not have been trading after 23:00. Mr Sinan Eskisan, the manager, was warned by the Police that any further breaches would result in prosecution. He has already displayed a disregard for the Act and poor managerial control.

We recommend that the application is rejected and that the hours and conditions granted at the hearing on the 19th January 2006 form the basis of the Premises Licence you grant in furtherance of this application. Those hours balance the trading needs of the premises, the needs of the night time economy in Godalming and the needs of the wider community as evidence by the significant reduction in crime and disorder in the area of the premises.

Sgt 435 Eldridge
Waverley Borough

