

Runnymede Borough Council

Licensing Sub Committee

Thursday, 14 December 2023 at 4.30 pm

Members of the Committee present: Councillors T Burton (Chair), M Harnden and M Singh.

Also in attendance: Also in attendance: Mrs J Grant, Surrey Police Licensing Enforcement Officer, Mr G Cooke, Senior Environmental Health Officer, Mr R Smith, Senior Licensing Officer, Ms L Woodward, Legal Advisor and Mr E Mula, applicant.

**22 Election of Chair**

Councillor T Burton was elected as Chair of the Sub-Committee.

**23 Notification of Changes to Committee Membership**

There were no changes to the Committee membership.

**24 Declarations of Interest**

There were no declarations of interest.

**25 Procedure**

The procedure for the conduct of business was noted.

**26 Application for a new Premises Licence**

The Sub-Committee was asked to consider an application for a premises licence in respect of Café Ultimo (Coffee Ultimo), 166 Station Road, Addlestone.

The Committee was advised that since submitting their application, the owner of the premises had been having constructive discussions with the Police Licensing Enforcement Officer and Officers from Environmental Health regarding various aspects of the application. A new site plan and an email from the Fire Service were tabled at the meeting.

Officers from Environmental Health were invited to speak to their representation. Two main concerns were highlighted with regard to the potential for public nuisance arising from noise to adjoining and nearby residential properties and further potential nuisance if the business was alcohol led with a lack of toilets for patrons. Officers confirmed that in respect of noise, additional insulation had been recommended and taken on board by the applicant. A letter had been sent to the applicant on 30 November 2023 concerning steps to ensure the premises was compliant with smoke free regulations.

The Police had originally been concerned that the premises would become a public house in the evening. However, following discussions and revision to the layout and application, the Police were now content that the premises would be a coffee shop that sold alcohol after 13:00 hours, from one counter inside the premises. With regard to the garden area, the applicant had now identified a fire exit route and a maximum of 30 patrons would be allowed at any one time on the premises.

Both responsible authorities had reached a compromise with the applicant and had proposed 6 conditions on the licence as set out in the supplementary agenda.

The applicant confirmed that the premises had been open for 3 months as a coffee shop. Prior to this the applicant had made several improvements to the premises and garden area, all approved by the Council's Building Control Officers. If the licence was granted, there was still some work to be done in consultation with Environmental Health, principally, the covered area in the garden with the retractable roof.

The applicant confirmed that Shisha pipes had never been available and would not now be available and the sign would be removed.

With regard to the 6 conditions, the applicant requested some flexibility to make the terminal hour 21:30 or 22:00 in the summer for the outdoor seating area, instead of 21:00. He also confirmed that if necessary additional toilets could be provided if capacity was to be more than 30 patrons. There had been no complaints from neighbouring properties, and the applicant was on good terms with them. Officers from Environmental Health objected to the garden area being used after 21:00 particularly in the summer when noise carried and residents would be more likely to be using their own gardens and have windows and doors open.

The applicant was undertaking relevant qualifications and training to be a Personal Licence Holder and had invested a significant amount of time and money into the premises which he hoped would be a success. It was noted that it would be possible to apply for a variation to the licence later if this was deemed appropriate.

The Committee retired at 17:24 to consider the application and re-convened at 17:37 to deliver its decision.

The Chair thanked everyone for their positive dialogue prior to the meeting and confirmed that the Sub-Committee unanimously approved that the licence be granted with the 6 conditions as set out in the Supplementary Agenda.

#### **Resolved that –**

**The premises licence in respect of Café Ultimo (Coffee Ultimo) be granted, with the conditions attached as set out in the Supplementary agenda**

#### **27 Supplementary Agenda - Correspondence with applicant**

The information set out in the supplementary agenda was noted. This included the suggested conditions to be placed on the licence if approved, as submitted by the Council's Environmental Health Officers and Surrey Police.

#### **28 Exclusion of Press and Public**

The press and public were excluded from the meeting during the private deliberation of the Sub-Committee before returning to deliver its decision on the application.

(The meeting ended at 5.40 pm.)

Chairman