

Licensing Sub-Committee Report

Mortimer Bistro, 6A Victoria Road, Mortimer, Reading, Berkshire, RG7 3SE, (Application Number 22025)

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| Type of Application: | New Premise Licence |
| Parish: | Stratfield Mortimer |
| Ward: | Burghfield and Mortimer |
| Ward Members: | Nick Carter, Geoff Mayes, Vicky Poole |
| Case Officer: | Amanda Ward |
| Portfolio Holder: | Councillor Lee Dillon |
| Service Director: | Eric Owens |

1. Purpose of the Report

- 1.1 To set out the background information pertaining to this Licensing Application.

2. Recommendation

- 2.1 Members are asked to decide whether to:-

- a) Grant the application for a premises licence subject to such conditions as are consistent with the operating schedule accompanying the application and to decide whether to modify any of those conditions to such extent as is considered appropriate for the promotion of the licensing objectives and subject to any mandatory conditions;
- (b) Refuse to specify a person in the licence as the Designated Premises Supervisor;
- (c) Exclude from the licence any of the licensable activities to which the application relates;
- (d) Reject the application for a premises licence

Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.

3. Background

- 3.1 Members of the Licensing Sub-Committee are asked to determine the application as the Licensing Authority has received representations stating that granting this application would undermine the prevention of crime and disorder, the prevention of

public safety, the prevention of public nuisance, and/ or the protection of children from harm licensing objectives.

3.2 The Licensing Authority may only consider aspects relevant to the application that have been raised in these representations.

3.3 Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Licensing Act 2003 requires that these applications should be determined by the Licensing Authority's Licensing Committee. The Licensing Act 2003 allows for applications such as this one to be delegated to a Sub-Committee. In accordance with those rules, the Scheme of Delegation set out in the Council's Constitution states that the Licensing Sub-Committee has responsibility for dealing with this application.

4. Background

4.1 The Licensing Authority received an application, from Gizem Karabulut on behalf of Mortimer Bistro Ltd, for a new premise licence in relation to 6A Victoria Road, Mortimer, Reading, Berkshire, RG7 3SE on the 19 June 2023. The application has been signed by one of the owners Alireza Henareh on behalf of Mortimer Bistro Ltd. This application had been recorded under reference number 22025 on 21 June 2023. A copy of the application, including a location map and an alcohol licence plan is attached as Appendix 1. Information about the DPS, Mr Fetdah Cura, is attached in Appendix 2.

5. Consultation

5.1 The 28-day consultation period ran from 21 June 2023 to 18 July 2023. Responsible Authorities, Ward Members and the Parish Council were advised by email on the 20th June 2023. The application has been advertised in accordance with the regulations, with the required blue notices being placed at the premises and checked by an officer from the Public Protection Partnership on the 30th June 2023 and an advert was placed in the Newbury Weekly News on the 29 June 2023.

5.2 The applicant agreed to additional conditions proposed by Environment Health as set out in Appendix 3.

5.3 The Council received 1 objection to the application these are set out in Appendix 4.

6. Outline of the Application

6.1 Opening Hours in Application:

Monday to Sunday

08h00 to 22h00

6.2 The application sought to obtain the following provisions of regulated entertainment

Monday to Sunday

J. **Supply of Alcohol:** 11h00 to 21h30 (Both On and Off the Premises)

7. Responses Received:

Fire Authority – No objections

The Chief Officer of Police Thames Valley – No objections

Environmental Health – See Appendix 3 with Additional Proposed Conditions

The Local Enforcement Agency for the Health and Safety at work etc. Act 1974 – No objections

The Weights and Measures Authority/Trading Standards – No objections

Children’s Safeguarding Board – No objections

Public Health – No objections

Home Office Immigration – No objections

Planning – No Objections

The Licensing Authority –. No objections

8. Options

8.1 The Home Office’s Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2022) must be taken into account when determining this Application.

8.2 Members are asked to consider, after taking the representations both oral and written into account, and having due regard to the licensing objectives, whether the application for the Premises Licence should be granted or rejected. Members will need to give reasons for their decision.

8.3 If Members are minded to approve the application they need to consider any additional conditions, other than those contained in the operating schedule, the conditions requested by Environment Health and any relevant mandatory conditions in ss19-21 of the Licensing Act 2003. Modification of conditions includes adding, omitting or altering a condition;

8.4 If Members are minded to include any additional conditions they will need to provide their reasons for doing so in the decision notice.

Background Papers:

- (1) The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under section 182 of the Licensing Act 2003
- (2) The Council’s Statement of Licensing Policy Licensing Act 2003
- (3) The Council’s Constitution

9. Appendices

Appendix 1 – Application including the Location Plan

Appendix 2 – Proposed DPS Details

Appendix 3 – Additional Conditions Proposed by Environment Health

Appendix 4 – Representations