

**SLOUGH BOROUGH COUNCIL**

**REPORT TO LICENSING SUB-COMMITTEE – 8<sup>th</sup> MARCH 2012**  
**LICENSING ACT 2003**

**APPLICATION FOR A NEW PREMISES LICENCE FOR 'GODARI' 54**  
**PARK STREET, SLOUGH, SL1 1PS**

**1. The Application**

1.1 The application has been made by Mr Shailendar Kumar Cambampaty, for a new Premises Licence for 'Godari' at 54 Park Street, Slough, SL1 1PS Slough with the premises to be run as a restaurant serving freshly cooked food and alcohol.

1.2 The application is for the following licensable activities at the following times:

- (B) The provision of regulated entertainment in respect of Films (Indoors).  
Monday to Sunday - 10.00am to 01.00am  
Non standard timings of - Christmas parties, Valentines Day, New Years Eve, Deepavali, Olympics, National and International Events - 03.00 or until the event is finished (e.g. the Olympics)
- (E) The provision of regulated entertainment in respect of Live Music (Indoors)  
Monday to Friday 10.00am to 23.00pm  
Saturday and Sunday 09.30am to 23.00pm  
Non standard timings of - 31<sup>st</sup> December, Valentines Day, Christmas i.e. 21<sup>st</sup> to 26<sup>th</sup> December, Deepavali Festival, Eid, Olympics, National and international events 03.00am or until the event finishes (e.g. the Olympics)
- (F) The provision of regulated entertainment in respect of Recorded Music (Indoors and Outdoors)  
Monday to Sunday 10.00am to 24.00 hrs (Midnight)  
Outdoor music to be suspended at 22.00pm  
Non standard timings - Christmas parties, New Years Eve, Deepavali, Valentines Day, Eid, Olympics, National and international events 03.00am or until the event finishes (e.g. the Olympics)
- (G) The provision of regulated entertainment for the Performances of Dance (Indoors)  
Monday to Sunday 10.00am to 24.00 hrs (Midnight)  
Non standard timings - Christmas parties, New Years Eve - 31<sup>st</sup> December, Valentines Day, Deepavali Festival, Eid, Olympics, National and international events 03.00am or until the event finishes (e.g. the Olympics)

- (H) Anything of a similar description to that falling within (E), (F) or (G) (Indoors and Outdoors)  
Monday to Sunday 10.00am to 24.00 hrs (Midnight)  
Outdoor music would be suspended at 22.00pm.  
Non standard timings - Christmas parties, New Years Eve - 31<sup>st</sup> December, Valentines Day, Deepavali Festival, Eid, Olympics, National or international events 03.00am or until the event finishes, (e.g. the Olympics)
- (I) Provision of facilities for making music (Indoors and Outdoors)  
Monday to Sunday 10.00am to 24.00 hrs (Midnight)  
Outdoor music would be suspended at 22.00pm.  
Non standard timings - Christmas parties, New Years Eve - 31<sup>st</sup> December, Valentines Day, Deepavali Festival, Eid, Olympics, National or international events 03.00am or until the event finishes, (e.g. the Olympics)
- (J) provision of facilities for dancing (Indoors)  
A small stage or existing wooden floor.  
Marquees shall be provided in Winter, Spring, rainy season and other days of unfavourable weather in the garden (Outdoor area)  
Monday to Sunday 10.00am to 24.00 hrs (Midnight)  
Non standard timings - Christmas parties, New Years Eve - 31<sup>st</sup> December, Valentines Day, Deepavali Festival, Eid, Olympics, National or international events 03.00am or until the event finishes, (e.g. the Olympics)
- (K) provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)  
Monday to Sunday 10.00am to 24.00 hrs (Midnight)  
Non standard timings - Christmas parties, New Years Eve - 31<sup>st</sup> December, Valentines Day, Deepavali Festival, Eid, Olympics, National or international events 03.00am or until the event finishes, (e.g. the Olympics)
- (L) The Provision of Late Night Refreshment (Indoors)  
Monday to Sunday 23.00pm to 05.00am  
Non standard timings - Christmas parties, New Years Eve - 31<sup>st</sup> December, Valentines Day, Deepavali Festival, Eid, Olympics, National or international events until the event finishes, (e.g. the Olympics)
- (M) Supply of Alcohol (On the premises only)  
Monday to Sunday 11.00am to 24.00 hrs (Midnight)  
Non standard timings - Christmas parties, Eid, Valentines Day, Deepavali Festival serve alcohol from 11.00am to 01.00am and New Years Eve 31<sup>st</sup> December, Olympics, national and International events 03.00am or until the event finishes (e.g. the Olympics)

- (O) Hours the premises are open to the public- Monday to Sunday 09.00am to 05.00am including Christmas parties, New Years Eve - 31<sup>st</sup> December, Valentines Day, Deepavali Festival, Olympic Games, Eid and National and international events.
- 1.3 The full application and Operating Schedule, the plan and the DPS Consent form are attached at **Appendices A, B and C respectively**.

## **2. Background**

- 2.1. Following the application being made, a total of ten written objections have been received from local resident in Park Street. The grounds for the objections are:
- The location of the premises being in a residential area
  - Increase in noise levels and noise pollution
  - Increase in parking problems for local residents
  - The unacceptable extended hours of operation
  - Possible increase in violent and drunken behaviour resulting in crime and disorder
  - Increase in disposal of cooking waste causing further drainage problems
- 2.2 A copy of all the written objection are attached at **Appendix D**.

## **3. Responsible Authority Representations**

- 3.1 On 20<sup>th</sup> January 2012 Debie Pearmain the Thames Valley Police Licensing Officer submitted formal objections to the application and detailed a number of alternative timings and conditions to be imposed on the licence. The full objection notice is attached at **Appendix E**.
- 3.2 On 23<sup>rd</sup> January 2012 Michael Bowery - Environmental Health Officer for Slough Borough Council responded to the application and he had no adverse comments to make other than potential for complaints in the garden area. The email response is attached at **Appendix F**.
- 3.3 Having been served with the Objection Notice from Thames Valley Police on 1<sup>st</sup> February 2012 the applicant responded with some alternative timings which are attached at **Appendix G**.
- 3.4 On 6<sup>th</sup> February 2012 a mediation meeting took place with Debie Pearmain the Police Licensing Officer, Mr Shailendar Cambampaty and Mr Tolani Idowu SBC Licensing Officer where Mr Cambampaty agreed with the recommendations made by Thames Valley Police and that he would forward written confirmation that effect.
- 3.5 On 14<sup>th</sup> February 2012 Mr Cambampaty forwarded written response following the above meeting in that he is in agreement with all the recommendations made by the Police and a copy of his response is

attached at **Appendix H**. However the matter has been referred to the Licensing Sub Committee due to the objections raised by the local residents.

**4. The Sub-Committee must have regard to:**

- The Licensing Act 2003
- The Guidance given by the Secretary of State – The Sub-Committee can decide not to follow the Guidance if it has good reason to do so
- The Council's Statement of Licensing Policy. The Sub-Committee must have regard to the Council's policy but may depart from it if it has good reason to do so.
- The overriding principle is that each application will be determined on its merits.

**5. Human Rights Act 1998**

Article 6 of the Human Rights Act 1998 applies:

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

**6. Options Available**

The Sub-Committee may

1. Grant the application as it stands in which case it would be issued subject to the relevant mandatory conditions and conditions consistent with the applicant's operating schedule.
2. Grant the application subject to further conditions which are reasonable, proportionate and necessary in order to meet one or more of the four licensing objectives i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.
3. Refuse the application.

**7. Appeals**

Any party to the hearing may appeal against a decision of the licensing authority by giving notice to the Clerk to the Magistrates within 21 days of being notified of the decision.

## **8. Appendices**

- A. Copy of Premises Licence Application and Operating Schedule.
- B. Copy of Plan.
- C. Copy of DPS Consent Form.
- D. Copy of Objections from local residents.
- E. Copy of Thames valley Police Objection Notice.
- F. Copy of response from Michael Bowery EHO.
- G. Response from applicant dated 1<sup>st</sup> February 2012
- H. Response from applicant dated 14<sup>th</sup> February 2012

## **9. Background Papers**

- 1. The Licensing Act 2003.
- 2. Guidance issued under Section 182 of the Licensing Act 2003.
- 3. Regulations (cited as the Licensing Act 2003 ([various]) Orders 2005).
- 4. Slough Borough Council Statement of Licensing Policy – December 2010.

### Contacts for further information

Tolani Idowu, Licensing Officer  
01753 875110  
[tolani.idowu@slough.gov.uk](mailto:tolani.idowu@slough.gov.uk)

Mick Sims, Licensing Manager  
01753 477387  
[michael.sims@slough.gov.uk](mailto:michael.sims@slough.gov.uk)