

**LICENSING SUB-COMMITTEE**  
**29 NOVEMBER 2023**

<b>Application Type:</b>	Application to Review a Premises Licence issued under Licensing Act 2003	
<b>Ward:</b>	St Nicolas	Ward Councillors: Councillor Tom Hunt
<b>Applicant:</b>	Surrey Police	
<b>Premises:</b>	The Charcoal Grill 15 Park Street Guildford GU14XB	
<b>Address:</b>	15 Park Street Guildford GU14XB	

**1. SITE LOCATION AND HISTORY**

- 1.1 The Charcoal Grill is an independent takeaway restaurant situated in Park Street on the gyratory system of Guildford Town Centre. It is next door to a nightclub and in close proximity to the other late-night venues in the area of Bridge Street. Site location as **Appendix 1**.
- 1.2 The premises has had a number of licences under various owners/managers and was previously licensed for the provision of Late-Night Refreshment, licence reference GUPL0035, from 24 November 2005 until 12 May 2014.
- 1.3 Licence GUPL0035 was reviewed by Surrey Police in 2012, at which time the Sub-Committee amended the hours and imposed additional conditions.
- 1.4 Licence GUPLA0035 was reviewed by Surrey Police in 2013, at which time the Sub-Committee revoked the premises licence. Record of hearing see **Appendix 2**.
- 1.5 The premises licence, holder appealed this decision to the Magistrates' Court who dismissed the appeal on 12 May 2014.
- 1.6 The current Licence has been in effect since 10th April 2015, following a hearing in front of a Sub-Committee who granted the licence with further conditions.
- 1.7 A copy of the current premises licence GUPLA0574 is included at **Appendix 3**.

- 1.8 Additional conditions attached to the licence following variations to the original licence.

**Additional conditions (updated by Variation to Premise Licence - September 2016, May 2018 and July 2018)**

1. A CCTV system must be installed on the premises. The CCTV system installed on the premises is to be fully maintained at all times with monthly maintenance checks being undertaken and shall be operational when the premises are open.
2. The CCTV system must cover all internal public areas and immediate exterior. At least one camera shall provide clear facial recognition of anyone entering the premises. All other cameras installed at the premises to provide identifiable images of individuals present.
3. There must always be a member of staff on the premises able to operate the CCTV system when the premises are open.
4. All CCTV footage is to be retained for a minimum of 28 days and shall be made immediately available, either for viewing or in a format that can be downloaded to a responsible authority upon request within 24 hours.
5. The licensee shall obtain a town link radio and staff shall be trained in its use.
  - a. The premises management shall carry out ongoing risk assessments of the need to employ SIA accredited door staff, taking the advice of the Surrey Police if there are any local events taking place.
  - b. When SIA door staff are required, at least one SIA accredited door staff shall be employed at the premises from 23:00 to mid-night and at least two SIA accredited door staff from mid-night until the premises closes to the public.
  - c. SIA door staff shall be required every Friday, Saturday and Monday evening.
  - d. SIA door staff shall only be required on a Sunday, Tuesday, Wednesday or Thursday if required by the risk assessment done by the premises management OR if requested by Surrey Police.
  - e. No new customers shall be admitted to the premises after 03:00 hours Monday-Saturday and all customers shall leave by 03:15 hours. For Sunday, no new customer shall be admitted to the premises after 00:45 hours and all customers must leave by 01:00 hours.
  - f. The premises is required if it continues to provide food and beverages via a delivery service past 02:45 hours (until 03:30 hours), to have suitable blinds (or other effective physically attached device/s) to clearly show that the premises is closed to the general public.
  - g. Alcohol can only be supplied OFF the premises via DELIVERY.

- h. All deliveries of food and alcohol must be made to a registered home or business address and payment for all food and alcohol deliveries must be made at the time of order at the premises (15 Park Street, Guildford, Surrey, GU1 4XB).
- i. The premises will operate a Challenge 25 age verification policy whereby any individual attempting to purchase or take delivery of alcohol who appears to be under the age of 25 will be asked to produce valid identification proving that they are over 18. If an individual is unable to produce valid proof of age the sale or delivery will be refused.
- j. All staff, whether paid or unpaid, will receive training regarding their responsibilities under the Licensing Act 2003 prior to being authorised to sell or carry out deliveries of alcohol. This training will include details of the premises age verification policy (Challenge 25), how to check identification and how to refuse sales. Refresher training must be provided at intervals of no more than six months.
- k. Records of all staff training will be maintained. The records must include details of the name of the member of staff, the date of the training, the name of the individual providing the training and a summary of its contents. The records will be accessible on the premises and produced for inspection by an authorised officer from a Responsible Authority upon request. Each record will be kept on the premises for a minimum period of two years.
- l. A refusals log containing details of each refused sale or delivery of alcohol will be maintained at the premises. The log will include as a minimum the date and time of the refusal, the name of the member of staff who refused the sale or delivery, a description of the person who attempted to purchase the alcohol (or the address in the case of delivery orders) and the reason for the refusal. The DPS or a nominated person will monitor the entries in the refusals log at least once per month and sign and date the log to indicate they have done so. The refusals log will be kept on the premises and be available for inspection by an authorised officer from a Responsible Authority upon request.
- m. The SIA security staff employed at the premises shall be responsible for maintaining order and minimising noise to the front of the premises.
- n. The licensee, management and staff will be responsible for ensuring that a noise nuisance is not created to the rear of the premises, from either people or vehicle noise, during home delivery operations.
- o. The licensee shall ensure that all staff, including any new members of staff, are trained to prevent the breakout of excessive noise from the premises and training records shall be kept.
- p. No customers to consume food within the shop from 02:45
- q. Door staff shall proactively encourage customers to leave the area after being served.

- 1.9 The licence was transferred to Mr Mutlu Temur in February 2020.
- 1.10 In September 2023, following the receipt of the review application received from Surrey Police, the licence was transferred to Mr Serkan Temur.
- 1.11 The Designated Premises Supervisor (Required for the sale of alcohol) is still a Mr Mutlu Temur.
- 1.12 The Licence authorises the following licensable activities:  
-Sale of Alcohol  
-Late Night Refreshment

## **2. APPLICATION FOR A REVIEW**

- 2.1 The application at **Appendix 4** is for a Review of the Premises Licence called by the Surrey Police as a Responsible Authority.
- 2.2 The Review has been called on the grounds of the prevention of crime and disorder and public safety The premises has a long history of serious assaults including a manslaughter that occurred on the 12th of October 2019. The list of incidents reported to the Police over the last 8 months.
- 2.3 The application Following this serious incident on the 8th of July 2023 and the subsequent Licensing check on the 31st of August Surrey Police are not satisfied with the response of the DPS and as a consequence seek the removal of the Premises Licence Holder, DPS and a revocation of the Premise Licence.
- 2.4 The following information is also provided in support of the application:  
The premises has a long history of serious assaults including a manslaughter that occurred on the 12th of October 2019. The list of incidents reported to the Police over the last 8 months include the following.
- 2.5 28/07/2023 0136hrs 45230083941 Reports of a fight inside the premises. Police attended and one male suspect was arrested.
- 2.6 08/07/2023 0350hrs 45230075774 Stabbing on two male victims outside the premises.

- 2.7 14/05/2023 1213hrs 45230052714 reports of a fight outside the premises the victim sustained ABH level injuries.
- 2.8 06/02/2023 0037hrs 45230013893 reports of fight on Police arrival one male was arrested.
- 2.9 01/01/2023 0127hrs P23000079-reports of an aggressive male and rowdy behavior.
- 2.10 On Saturday the 8th of July 2023, at 0350hrs a Police patrol came across two male victims who had been stabbed outside the premises. Investigations revealed that the two intoxicated males attended the premises at about 0340hrs and asked the Designated Premises Supervisor for a kebab. The DPS has then sold the two males' food who have then left the premises. The sale being a breach of the late-night premise Licence. On leaving the premises the two males have then stumbled against a car which was parked directly outside the premises. The occupant in the car got out of the car and a physical altercation resulted between the two parties.

During the altercation the suspect who was carrying a knife proceeded to stab both victims causing serious injuries to both. This physical altercation was captured on phone footage (see attached) from a witness and friend of the two victims.

- 2.11 The current premises licence (attached) has stringent conditions that reflect the concerns of the Police and licensing enforcement partners about the potential for serious assaults and public order. The late-night premises licence states that "No new customers shall be admitted to the premises after 0300hrs Monday through to Saturday and all customers shall leave by 0315hrs". Following this serious incident Police have met with the DPS on two occasions in an attempt to establish the facts and to work together in order to reduce the likelihood of such an incident from occurring again.

Following the first meetings Police requested a reduction in the late-night licence until 0200hrs. The DPS was given a week to consider this request. A follow up meeting took place a week later. During this meeting the DPS refused to reduce his late-night licence citing financial reasons. Adding that the period between 0200hrs and 0300hrs was the busiest period.

The DPS did however present three conditions which he described as new and would prevent future serious incidents.

The new conditions presented were:

The DPS would look to obtain a town link radio and ensure both he and his staff were trained in its use.

The DPS would ensure that the SIA guards remain on site until all staff have left the premises.

The DPS to install suitable blinds to be drawn once the premises has stopped serving food and closed.

Police pointed out that these three conditions were already in existence as part of the current Premise Licence. The DPS stated that he did not use the town link radio as he had not learnt how to use it. He stated that on the night of the incident he had sent his SIA guards home at 0300hrs. He stated that in future he would keep them on until all staff members had left the premises. As regards the installation of blinds he stated that he would make arrangements to get them fitted.

The presentation of the "new conditions" raised significant concerns for the Police of the suitability of the DPS and his ability to promote the Licensing objectives and to comply with his current conditions. It was pointed out to the DPS that these conditions were already in place, and he was responsible for ensuring that they were complied with. The fact that he was offering these as new conditions implied that he was not aware of the current conditions of his licence and therefore not following them.

It is understood that the current DPS has been in this responsible position since 2018. Police recognise that customers frequent the premises after a night out in one of the many night time licensed premises before heading off home. The customers that attend are often intoxicated and Police often receive reports of fights and social behaviour taking place within or immediately outside the premises. Police have also received reports of trading after hours as occurred on the 25th of March 2018.

On Thursday the 31st of August 2023 the Police Licensing Office (PLO) Iain Scott conducted a licensing check at the premises

between 2105hrs and 2120hrs. On the arrival of PLO Scott one member of staff Mr. Erkan Talit was stood behind the counter sorting out the kebab meat and vegetables. He was the only member of staff in the shop. PLO Scott introduced himself to Mr. Talit producing his Police staff identification card and informed him that he wished to conduct a Licensing check. Mr. Talit commented that he recognised PLO Scott from a previous visit, and he knew his role. Mr. Talit explained that the DPS was in Turkey until the 15th of September and there was no one else on the premises. PLO Scott asked Mr. Talit if he could show him the CCTV system and demonstrate his ability to operate it. PLO Scott also asked him if he could show him the records of all staff training. Mr. Talit informed PLO Scott that he did not work there. He clarified that there were no other persons on the premises, and he was simply managing the premises until another member of staff returned. About 5 minutes later another male entered the front entrance and introduced himself as Serkan Temur the brother of the DPS. PLO Scott produced his identification to Mr. Temur and informed him that he wished to conduct a Licensing check. Mr. Temur was asked him if he could show him the CCTV system and demonstrate to his ability to operate it. PLO Scott asked him if could produce the staff training records Temur informed PLO Scott that he did not actually work there. After a series of questions from he conceded that he was covering for his brother who was on holiday in Turkey. PLO Scott then asked them both if they had a town link radio. Mr. Temur produced the radio after a period of searching. The radio was off, but he managed to turn it on. PLO Scott asked both if they knew how to operate it and they both said that they did not. Both males were asked if they were aware of Challenge 25 policy. Both looked puzzled and informed PLO Scott that they were not aware of it. PLO Scott then left the premises.

This exchange raised further concerns to Police and highlighted further breaches of the premises licence conditions including.

3. There must always be a member of staff on the premises able to operate the CCTV system when the premises are open.

5. The licensee shall obtain a town link radio and staff shall be trained in its use.

15. All staff whether paid or unpaid will receive training regarding their responsibilities under the Licensing Act 2003 prior to being authorized to sell or carry out deliveries of alcohol. This training will include details of the premises age verification policy (challenge 25), how to check identification and how to refuse sales.

16. Records of a staff training will be maintained. The records will

be accessible on the premises and produced for inspection by an authorized officer from a Responsible Authority upon request.

Surrey Police believe that the current DPS and his staff are not promoting the licensing objectives. Following this serious incident on the 8th of July 2023 and the subsequent Licensing check on the 31st of August Surrey Police are not satisfied with the response of the DPS and as a consequence seek the removal of the Premises Licence Holder, DPS and a revocation of the Premise Licence.

## 2.12 Consultation period and advertisement of the application

The application was accepted as valid on 18 September 2023, with the consultation period running until 17 October. The application was advertised by means of notices at the premises in accordance with the regulations.

## **3. RELEVANT REPRESENTATIONS RECEIVED DURING CONSULTATION PERIOD**

### 3.1 Further representations from responsible authorities:

Guildford Borough Council, the Licensing Authority, acting as its capacity as a Responsible Authority under the Licensing Act 2003 are making representation in support of the Review application made by Surrey Police under reasons of crime and disorder and public safety.

Late night take-aways are traditionally well-known flash points for incidents after customers leave bars and clubs in search of food and it is therefore imperative that premises licensed for late night refreshment are well managed to manage these risks and therefore uphold the Licensing Objectives. The premises has a chequered history with disorder associated with the premises which culminated in the revocation of the previous licence in 2013 under previous management.

As the Police's review application sets out, the Premises Licence GUPLA00574 contains a number of conditions which are important for the upholding of the licensing objectives. The Review follows an incident at 03:50 hours on Saturday 8 July where customers had just been served food at the premises and subsequently been involved in a serious violent assault. The times and conditions attached to the premises licence require the Charcoal Grill not to allow any new customers entry after 03:00 and to close at 03:15. It is therefore clear that these customers should not have been permitted access to the premises and had they not been served with

food, the incident may have been avoided. Whilst the assault is the actions of the individual who allegedly committed it, ultimately the premises licence holder must retain some responsibility.

It is also an offence under section 136 of the Act to operate otherwise in accordance with an authorisation. The safe management of premises and dispersal from the town is not just an important priority for the Police, but also wider partners including the Council as it seeks to reduce incidents of crime and disorder through a number of mechanisms, including the Licensing Act itself, the Purple Flag award and Safer Guildford Partnership. Therefore, an incident such as this at a licensed premises raises concern which causes the Licensing Authority and partners to consider it is appropriate for such a permission to be retained.

Following the incident Licensing Officers and Police met with the licence holder Mr. Mutlu Temur on two occasions to discuss the matter and seek Mr. Temur's co-operation with ensuring measures were in place to prevent this type of incident from recurring. The Police suggested that Mr. Temur voluntarily reduce his hours until 02:00 hours so that the premises did not open towards the time which late night venues began to close and thus reduce the potential for disorder, a request which Mr. Temur considered and refused.

This has been redacted and is included as **Appendix 5**.

### 3.2 Representations from other persons.

Representations in support of the licence holder in the form of a petition and has been received as **Appendix 6**.

### 3.3 Representations from the Licence holder

On 25 September the Licence holder's legal advisor provided a submission in the form of various documents to show actions taken. This was not in the form of a written submission but are a number of supporting documents. These are included as **Appendix 7**.

## 4. LICENSING POLICY

4.1 The Licensing Act 2003 requires the Licensing Authority to carry out its licensing functions to promote the licensing objectives. Guildford Borough Council as the Licensing Authority takes its responsibilities under the Licensing Act seriously and will use all available powers to promote the four licensing objectives.

The Council has adopted a Statement of Licensing Policy setting out how it will discharge its functions, with the following sections of the Council's Licensing Policy being relevant:

#### **Section 4: Fundamental Principles**

Paragraph 4.3 and 4.4: Licensing is about the control of licensed premises, qualifying clubs, temporary events and individuals within the terms of the 2003 Act. Any conditions or restrictions attached to a premises licence or club premises certificate will be focused on matters which are within the control of individual licensees.

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#### **Section 12: Promoting the four licensing objectives.**

Paragraph 12.5: The Licensing Authority considers the effective and responsible management of the premises, including instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives.

Paragraph 12.1.1: Licensed premises of any description, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people can be a source of crime and disorder. The Licensing Authority expect operating schedules to satisfactorily address these and any other potential issues, from the design of the premises through to the daily operation of the business.

Paragraph 12.1.13: In addition to the requirement for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.

#### **Section 20: Reviews**

Paragraph 20.1 and 20.2: Following the grant of a premises licence or a club premises certificate, a responsible authority or any other person may ask the Licensing Authority to review it due to a matter arising in connection with any of the four licensing objectives.

Full details of the review process can be provided by contacting a Council Licensing Compliance Officer or may be found in Chapter 11 of the Section 182 Licensing Act 2003 Revised Guidance on the Home Office website.

## **5. NATIONAL GUIDANCE**

- 5.1 Section 182 of the Licensing Act provides that the Secretary of State must issue guidance to licensing authorities on the discharge of their functions. The guidance also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public.
- 5.2 Section 4 of the Licensing Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by under section 182 which is therefore binding on all licensing authorities to that extent.
- 5.3 The following sections of the Section 182 Guidance (issued August 2023) are relevant to this application:

### **Section 2: The licensing objectives**

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the

premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day-to-day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

## **Section 9: Determining Applications**

Paragraph 9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

Paragraph 9.38: In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives.
- the representations (including supporting information) presented by all the parties.

- the s.182 Guidance
- its own statement of licensing policy

### **Section 11: Reviews**

Paragraph 11.26: The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Paragraph 11.27: There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Paragraphs 9.42 – 9.44 (Determining actions that are appropriate for the promotion of the licensing objectives): Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is

provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

## **6. REVIEWS OF PREMISES LICENCES**

6.1 The proceedings set out in the Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

6.2 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

6.3 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

6.4 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.

6.5 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;

- suspend the licence for a period not exceeding three months;
- revoke the licence.

6.6 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

## **7. RECOMMENDATION:**

7.1 The Sub-Committee are requested to consider the application for the Review of the premises licence on its merits.

7.2 Having regard to the Application, any relevant representations made during the consultation period, and the submission of the Licence holder, the Sub-Committee must take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

The steps are:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

## **8. CONSULTATION**

Report agreed by:

Executive Head of Regulatory Services

Legal Services

## **9. BACKGROUND PAPERS**

[The Licensing Act 2003](#)

[Guildford Borough Council Statement of Licensing Policy effective 7 January 2021](#)

[Revised Guidance issued under section 182 of the Licensing Act 2003 effective August 2023](#)

### **Appendices:**

Appendix 1 – Site location

Appendix 2 – Record of hearing 2013

Appendix 3 - GUPLA0574 Current licence

Appendix 4 – Review of the Premises Licence called by the Surrey Police

Appendix 5 – Further representations from responsible authorities

Appendix 6 - Submission from others supporting the Licence Holder

Appendix 7 – Representations from the Licence holder

### **Originator:**

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