

**ADDITIONAL SUPPORTING INFORMATION
STATEMENT SUBMITTED BY APPLICANT**

SUPPORTING DOCUMENTS

REF :NEPALESE CUISINE
449 LONDON ROAD
CAMBERLEY
GU15 3JA

I WILL CONFINE COMMENTS TO THE ACTUAL REPRESENTATION

To confirm there will be staff training at the premises to be recorded and updated six monthly

There shall be a challenge 25 policy

It is clear from the representation by Mr and Mrs Srour that they do not object to on and off sales of alcohol

I quote

'We hope that you can take into account our representation to the running of these premises as a place of entertainment'

I will confine comments as far as possible to the public nuisance element.

The premises is not up and running as a restaurant yet.

I have attended a number of hearings

In the latest it was established that persons opposing an application by Co- op could not use disturbance from building works prior to use of the premises as a licensed premises to object to a licence application as it is not a licensing issue

This has always been the case as far as I am aware

Licensee will monitor noise levels and any complaints would be investigated

A complaints book will be on the premises

The submitted photos show that the ceiling appears to have been completed to a high standard

The applicants do not wish any inconvenience to their neighbours

Environmental Health we understand have visited the premises and have made no representation in regard to this application

We submit their report

As regards smoke it can be seen that the ceiling appears in good order

Also it is illegal to smoke on a licensed premises and therefore this nuisance cannot arise

As regards the

'music, singing and drumming'

There have been no Drums

Also the premises has not operated as a restaurant with regulated entertainment
They apologize if any disturbance from checking equipment and movement has occurred

This checking of gas ovens etc took place on one Saturday but not as late as 11.30pm as far as they recall

Again it is not a licensing issue
The above residents asked for people to stop and they did
This is only one occasion
There has been no live music at the premises
They feel it relates to when they were testing equipment in the premises
No music equipment was tested

The application is/has been going through the planning application as a change of use was requested

As part of this the planning department require details of the extraction unit.

Therefore if and when approved it would be on the condition of meeting strict criteria.

There has been an amount of Building works carried out

These were carried out between 9am and 6pm

However it has been established that building works are covered by Environmental Protection legislation and planning controls

The application has been through the planning process
THE APPLICATION WAS GRANTED (DOCS SUPPLIED) WITH A CONDITION 5
The condition is as stated in fig 5

Therefore any noise assessment will have to satisfy condition 5 as follows

Reason: To demonstrate that plant noise does not exceed 35dBa at 1 metre in front of nearest residential window, and that the power rating of any proposed installed plant does not exceed 65dBA when measured at 1 metre.

We understand that condition has to be met so a new application is going through the planning process

We understand building work has now ceased

The applicants will listen to any complaints from the applicants and address any issues appropriately

As no representations have been received from Responsible Authorities we would ask that the application be approved with no added conditions

It would be disproportionate and not appropriate to add a condition requiring sound proofing throughout as the change of use is a recent request and issues have been or are being dealt with by planning

The applicants have spent a great deal of money on this project so we feel that any further structural and or soundproofing would not be appropriate and be disproportionate.

The representation has received support from the Rev Russell

I believe we have dealt with these issues above

We would hope that the committee sees fit to grant the application without additional conditions
The representation states that no disturbance was caused to them by the grocery store

We understand the original premises was split and one part will be restaurant and other part remains grocery

The same DPS of the grocery store will also be DPS of restaurant we understand
Perhaps Licensing can confirm that is or not the case at the hearing AS I CANNOT ACCESS THE LICENSING REGISTER on the website

Therefore as no nuisance was caused by the grocery store on balance of probability no nuisance will be caused by restaurant

As the original premises has been split in two and building works undertaken it would be a legal requirement for any Builder to adhere to current Building Regulations

Also it is worth noting that as no doubt the committee are aware that no licence is required for Regulated entertainment requested in the application subject to attendance levels before 11pm if on sales are permitted so therefore it is hard to see how conditions could be imposed on non-licensable activity

It would all be covered by the Environmental Protection Act 1990.

Therefore conditions should not be imposed when adequate legislation is in place and conditions would merely address issues already covered by existing legislation

The applicant does not wish to cause a nuisance to any neighbours and it appears the proposed DPS has not done so in the past