

MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE 'A'  
26 AUGUST 2008

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING  
6 OCTOBER 2008

(To be read in conjunction with the Agenda for the Meeting)

- \* Cllr Mrs G M Beel                      \* Cllr B J Morgan  
\* Cllr Mrs E Cable

\* Present

5. ELECTION OF CHAIRMAN (Agenda Item 1)

Cllr Mrs G M Beel was elected Chairman for this meeting of Sub-Committee A.

6. MINUTES (Agenda Item 2)

The Minutes of the Meeting held on 2 June 2008 were confirmed and signed.

7. DISCLOSURE OF INTERESTS (Agenda Item 3)

There were no interests raised under this heading.

**PART I – RECOMMENDATIONS TO THE COMMITTEE**

There were no matters falling within this category.

**PARTS II AND III – MATTERS OF REPORT**

Background Papers

The background papers relating to the following report in Parts II and III are as specified in the Agenda for the meeting of Licensing Sub-Committee 'A'.

**PART II – Matters reported in detail for the information of the Committee**

8. LICENSING ACT 2003 - APPLICATION FOR NEW PREMISES LICENCE – ONE FORTY, 140 HIGH STREET, CRANLEIGH GU6 8RF (Agenda Item 4; Appendix A)

- 8.1 The Licensing Officer introduced the application and updated the Sub-Committee that the fire authority had requested a condition to be included to ensure that all exits must remain open and available at all material times. The applicant agreed with this condition. Supplementary information from the applicant was circulated at the meeting (a copy of which is attached as Annexe 1.) The applicant also commented that in response to the representations submitted, the application had been amended so that there was no live music after 1800 hours on Sundays.

- 8.2 The applicant then provided the Sub-Committee with a detailed explanation about their future plans for the premises and which activities they wanted to be licensed for. They clarified that increased use of the restaurant was the main objective of the application.
- 8.3 The Sub-Committee sought clarification about measures that would be put in place to control door supervision and security issues that had been raised by the local residents. It was suggested that Condition 14 as printed in the agenda may not explicitly cover all elements of concern because its intention was to address public nuisance and noise control. It was subsequently agreed that it should be supplemented by an additional condition determining hours for the presence of security staff.
- 8.4 In response to concerns about the possibility of dancing and discos being held at the premises, the applicant was also content to delete the section of the application relating to the performance of dance [Box G refers].
- 8.5 The Council's Solicitor reminded the Sub-Committee that consideration should only be given to the application before them and that there should be no speculation about what may occur in the future. The Sub-Committee then withdrew at 11.49 a.m.
- 8.6 During the deliberation, the Solicitor to the Council was asked to advise the Sub-Committee on suitable wording for a condition to address security activities.
- 8.7 Following the Sub-Committee's deliberation the meeting resumed at 1.47 p.m.
- 8.8 The Sub-Committee did not consider that the application conflicted in principle with the four Licensing Objectives. However, the Sub-Committee was concerned about the purpose and extent of the licence and the Sub-Committee therefore agreed to grant the application with a number of amendments and conditions, as proposed by Surrey Police, Surrey Fire and Rescue and Waverley Environmental Health Department, and accepted by the applicant.

RESOLVED that the application be GRANTED as applied for, subject to the following amendments, that

1. Sunday hours are restricted to a 6 hour period between 10am and 6pm;
2. supply and consumption of alcohol is restricted to the existing restaurant area only; and
3. dance performances are deleted, as set out in Box G of the application form and agreed by Mr Graham;

and with the following conditions agreed with the applicants:

1. The current CCTV system shall include the restaurant and bar area. The system will be maintained and operational at all times the premises are open for business.
2. Staff will be trained in all aspects of the sale of alcohol and written records kept.
3. The premises shall operate a Challenge 21 policy and will only accept a passport, photo driving licence or ID card bearing a PASS hologram as forms of identification.
4. No alcohol, glasses or bottles will be allowed to be taken outside the premises at any time.
5. The Licensee shall produce a health and safety event plan to the satisfaction of the health and safety responsible authority that describes how the event organiser intends to manage safely, who has specific responsibilities and how these will be carried out. The plan must include risk assessments of all activities, which should be brought to the attention of all staff, contractors, artists and performers at the event site.
6. The Licensee must ensure that the risk control measures, identified in the assessment, are being adhered to and suitable competent staff are available to ensure that the risks are monitored and adequately controlled at all times.
7. The licensee shall pay particular attention to the health and safety arrangements made by all contractors, artists and performers. In particular the licensee should ensure that they have suitable risk assessments and that any electrical equipment being brought onto the site and any temporary installations are fit for purpose.
8. The Emergency Fire exit accessed via the spiral staircase at the rear of the premises shall remain closed but not locked at all times. The licensee shall ensure that members of the public are not allowed to use this exit for anything other than emergency egress from the building.
9. Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.
10. All external doors and windows must be kept closed, other than for access and egress, when events involving amplified music or speech are taking place.
11. When events take place that involve amplified music, other than background music when the restaurant is open, a noise limiting device shall be installed, fitted and maintained in such a manner as to control additional sources of amplified music at the premises. This shall be at a level deemed satisfactory to the

Environmental Health Department so as to not adversely affect any noise sensitive properties. The noise limiting device shall be in place before the first of any such events involving amplified music.

12. The rear area of the premises shall not be available for use by members of the public.
13. No more than five patrons/smokers should occupy the front, outside area at any one time. Management of the area should ensure drinks are not taken outside and that noise from customers is kept to a minimum.
14. Staff and/ or Security Industry Authority (SIA) registered door supervisors should be employed for all events to manage the doors and control customers and smokers entering and leaving the premises.
15. Up to 3 live amplified or amplified music events per month, together with up to 6 live acoustic music events per month and subject to a total of 30 music events in any one calendar year.
16. If as a result of a risk assessment referred to in condition 5, security activities (as defined by Section 21(3)(a) of the Licensing Act 2003) should be undertaken, the licensee shall ensure that such individuals employed by the licensee to carry out these security activities are SIA licensed.
17. All exits are to remain unlocked and available at all material times.
18. The licence shall not include the following type of events:
  - 18th or 21st birthdays
  - Stag or Hen Parties
  - 'Raves'
  - Discos
19. For the protection of children, the applicant will comply with the film classification system.

Reason for the Conditions:

To prevent noise escape and disturbance in the local area. LO3 [Prevention of Nuisance]

The Chairman reminded the applicant that the provisions of the licence could be supplemented by the use of Temporary Event Notices.

**The meeting commenced at 10.00 am and concluded at 1.54 pm.**

Chairman