

MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE 'A'  
1 MARCH 2010

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING  
29 MARCH 2010

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

\* Cllr Mrs Gillian Beel  
\* Cllr Bryn Morgan

Cllr Steven Renshaw

\* Present

The Head of Democratic & Legal Services advised that Cllr Steven Renshaw had been unable to attend the meeting and \*Cllr Mrs Elizabeth Cable had been appointed to attend on his behalf.

Also in attendance was Cllr Julian Hubble, Ward Councillor for the area, who was supporting the applicant.

12. ELECTION OF CHAIRMAN (Agenda Item 1)

Cllr Mrs Gillian Beel was elected Chairman for this meeting of Sub-Committee 'A'.

13. MINUTES (Agenda Item 2)

The Minutes of the Meeting held on 7 December 2009 were confirmed and signed.

14. 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**

15. LICENSING ACT 2003 – APPLICATION FOR REVIEW OF A PREMISES LICENCE – THE ANCHOR (BAR ONE TEN) OCKFORD ROAD, GODALMING, SURREY GU7 1RG (Agenda Item 4; Appendix A)

- 15.1 The Licensing Manager introduced the application and explained that the application for a review had been received from Mr Ian Elliott and Mr Ian Manning, both Interested Parties. One of the Interested Parties had been unable to attend the hearing, but his representation would be taken into account in his absence. The application had been supported by WBC Environmental Health Department and Surrey Police. Since the application had been received the Designated Premises Supervisor had changed and the new DPS was in attendance at the hearing.
- 15.2 The Council's Principal Solicitor then advised the Sub-Committee of the steps they may take to promote the Licensing Objectives.
- 15.3 The applicant present informed the sub-committee that the review had been brought to address issues relating to excessive noise nuisance from music emanating from the premises.
- 15.4 Waverley Environmental Health Department advised that they were in attendance in support of the applicant and submitted evidence of occasions when they had been called out to monitor noise nuisance. On one occasion this had resulted in the serving of a noise abatement notice. The Waverley Environmental Health Service then gave details of the conditions they had proposed to address those issues.
- 15.5 Surrey Police then advised that they were in support of the application as they had had reason to visit the premises due to concerns over loud music. Surrey Police had offered advice to the previous DPS on reducing the noise nuisance to local residents and supported the Environmental Health Service proposed conditions.
- 15.6 The Solicitor representing the licence holder, Punch Taverns, apologised to the Interested Parties for the problems they had experienced over the past months and did not dispute their allegations. He then gave a brief explanation of Punch Taverns' business arrangements regarding the operation of their premises and that the previous DPS had not advised them that a review had been brought in the first instance. This had resulted in notice being served on the previous DPS.
- 15.7 The Solicitor representing the licence holder then advised that the new DPS intended to reposition the pub as a family, food orientated premises and did not intend to focus on live music. He advised that the licence holder would agree to the conditions proposed by Environmental Health, but financial resources did not permit the proposed works to be undertaken at the present time. However, they were prepared to agree that no live amplified or recorded amplified music would be played unless and until the works proposed in the conditions had been undertaken.
- 15.8 Following questions from the Sub-Committee and final submissions, the Sub-Committee withdrew at 12.04 p.m.

15.9 Following the Sub-Committee's deliberation the meeting resumed at 1.24 p.m.

15.10 The Chairman of the Sub-Committee informed the hearing that during the Sub-Committee's deliberations the Council's Solicitor was asked to advise the Sub-Committee on the wording for conditions.

15.11 In conclusion, the Sub-Committee considered that the Licence Holder had not conformed with the Licensing Objective relating to the Prevention of Nuisance (LO3) and had therefore decided to modify the licence by including conditions, as follows:-

There shall be no performance of live amplified or recorded amplified music until the following conditions are complied with:

- a noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises so that it will be inaudible at neighbouring properties
- sound insulation shall be fitted to windows and unused external door in the room where music events take place to prevent the escape of noise
- an internal acoustic lobby shall be constructed to connect the external door used to access the premises and the room where music is played. Doors shall be kept closed during music events except for access and egress.

Unless and until the above conditions are complied with, performance of live music is to be limited to unamplified music with no drums and no more than three performers at any one time to finish by 22.00 hours.

There shall be no sound amplification equipment sited in the outside areas at any time.

The external seating area to the front of the premises shall not be used for licensable activities and the consumption of alcohol after 22.30 hours.

The following elements of the operating schedule be amended as follows:

- d) Windows and doors to the front of the pub shall remain closed except for access and egress.

Consumption of alcohol or licensable activities shall not take place in the garden or external drinking area after 22.30 hours.

As requested by Surrey Police, the Licensee, when permitting customers to use the external areas after 22.30 hours shall ensure that alcohol is not consumed there nor that any licensable activities take place in the external areas after 22.30 hours. To this end the Licensee shall undertake regular patrols of the external areas and display signs informing customers that

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alcohol shall not be taken outside after 22.30 hours. The Licensee shall keep a logbook of details of any person who does not comply with this.

The kitchen extract must not create a public noise nuisance.

The reason the Sub-Committee has made their decision is to help ensure the prevention of noise and disturbance in the local area (Licensing Objectives 3).

**The meeting commenced at 10.10 am and concluded at 1.35 pm.**

Chairman