

MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE 'A'
15 AUGUST 2011

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING
29 SEPTEMBER 2011

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

- * Cllr Gillian Beel
- * Cllr Elizabeth Cable
- * Cllr Brett Vorley

* Present

4. ELECTION OF CHAIRMAN (Agenda Item 1)

Cllr Elizabeth Cable was elected Chairman for this meeting of Sub-Committee A.

5. DISCLOSURE OF INTERESTS (Agenda Item 2)

No interests were declared 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

6. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – RUSSETS, PETWORTH ROAD, CHIDDINGFOLD (Agenda Item 3; Appendix A)

- 6.1 The Licensing Consultant representing the applicant had submitted a list of proposed conditions which had been presented to the Sub-Committee at the start of the meeting. To enable the Sub-Committee sufficient time to read through the proposed conditions the Chairman ADJOURNED the meeting at 10.03 am.

The meeting RECONVENED at 10.11 am.

- 6.2 The Chairman drew attention to Annexe 2 of the agenda papers and the conditions proposed by Surrey Police. Although these conditions had been discussed with the applicant, it would be the decision of the Sub-Committee to apply any conditions to the licence if granted.
- 6.3 The Licensing Manager introduced the application and outlined the matter that the Sub-Committee was being asked to decide. The Licensing Manager told the Sub-Committee that there had been one representation from Waverley Borough Council Environmental Health, who were present at the hearing, and two objections from interested parties, who were unable to attend the hearing.
- 6.4 The applicant's consultant then addressed the Sub-Committee and gave a background to his client's proposed plans for the premises. The previous owner had intended the property to be used as the clubhouse for the adjacent golf course, but this had not proved possible and the property had been placed on the market. The applicants had then bought the property as a family residence, and had since decided to convert it to a venue for wedding receptions, private parties and conferences, as well as remaining as the family residence.
- 6.5 The applicant's consultant explained that there was parking for 50 cars at the property, and the adjacent golf club had offered an additional 40 places in their car park. There was a filter lane on the road approaching the entrance drive to the property which would make for safer entry and exit for guests driving to the venue.
- 6.6 The applicant's consultant tabled a plan showing a reduction in the proposed licensed area and indicated the area to the sides of the building where the marquee would be and the proposed outside licensable activities would take place. These faced away from neighbouring properties and towards the golf course.
- 6.7 With the permission of the Chairman, the applicant's consultant then introduced the immediate neighbour who supported the application and said that she had lived in her property throughout the various uses of Russets and had never been disturbed. In her view the field and trees separating the properties would be sufficient to prevent any noise nuisance, particularly as the proposed outdoor activities would be positioned on the opposite side of the property to the neighbours.
- 6.8 Following questions from the Sub-Committee it was confirmed by the applicant that there would be no casual drinkers and it was expected that there would be no more than two events a week. The applicant would operate a Challenge 25 policy and if any trouble arose the applicant and staff would deal with it, or if that was not possible, call the police. The marquee would only be used after 2200 hours for guests to relax with a drink/late night refreshment, and to play background music.

- 6.9 To address the concerns of some local residents, the Chairman suggested a condition on the number of events per year. The applicant said he would accept a limit of 100 events per year.
- 6.10 There followed discussion on how bona fide/private functions could be identified and the Principal Solicitor suggested that, as there was no guidance in the Licensing Act, a booking/reservation diary be made available to the Licensing Authority and Police upon request.
- 6.11 Following questions from the Principal Solicitor, the applicant's consultant agreed to submit to the Licensing Manager an amended plan showing the block plan, marquee position and licensable areas before the first planned event.
- 6.12 The Environmental Health Officer then made his representation. The concerns initially raised by Environmental Health had been addressed by the reduction in the licensed area and proposed conditions, which were to include an amendment to proposed condition 8 to say that the noise limiter be set at a level approved by the Environmental Health Officer.
- 6.13 The Chairman then proposed a condition, which was accepted by the applicant, that any complaints regarding the operation of the premises be dealt with as a priority.
- 6.14 The Sub-Committee then withdrew at 11.20 a.m.
- 6.15 Following the Sub-Committee's deliberation the meeting resumed at 12.55 p.m.

During the deliberations the Principal Solicitor was asked to advise the Sub-Committee on suitable wording for the conditions.

In conclusion, the Sub-Committee did not consider that the application conflicted with the Licensing Objectives relating to

- Prevention of Crime & Disorder (LO1)
- Public Safety (LO2)
- Prevention of Nuisance (LO3)
- Protection of Children from Harm (LO4)

The Sub-Committee RESOLVED to grant the licence with conditions as follows:

Regulated Entertainment (Plays, Films, Live & Recorded Music, Performance of Dance, Activities of similar description)

Monday to Saturday	0800 to 0100
Sunday	0800 to 2330

Late Night Refreshment

Monday to Saturday	2300 to 0100
Sunday	2300 to 2330

Sale of Alcohol

Monday to Saturday	0800 to 0100
Sunday	0800 to 2330

Opening hours

Monday to Saturday	0800 to 0130
Sunday	0800 to 0000

The conditions tabled at the meeting to be added to the licence with the following amendments:

2. No Licensable Activities shall take place on the premises save in connection with the holding at the premises of a bona fide private function, except in circumstances where the general public must by law be admitted to the premises to enable them to attend a Civil Ceremony.
3. Only one function shall take place on the premises at any one time
4. Licensable Activities may only take place within the building and the marquee at the side of the building, save that strolling players may perform in the licensed area and alcohol may be consumed by attendees when dispensed in the building or the marquee or from a temporary bar situated on the premises.
7. Delete 'Licensable Activities' and substitute 'Regulated Entertainment'.
8. A device limiting noise from any live, amplified or recorded sound (other than background music) shall be fitted and adjusted to a level approved by the Local Authority Environmental Health Officer etc
9. There is to be no more than one drum utilised and no more than three players of acoustic stringed instruments at any one time.
10. After 2200 hrs when the fold back door and windows are closed additional ventilation in the form of the existing air conditioning shall be utilised.
11. The licence holders shall install prior to the first event, and maintain a comprehensive digital colour CCTV system etc
13. Delete 'Challenge 21 Policy' and substitute 'Challenge 25 Policy' etc

And the additional new conditions:

15. The Designated Premises Supervisor or a nominated representative shall receive and respond to any complaint within 24 hours.
16. Access to the booking/guest list shall be available to the Licensing Authority on request.
17. An amended plan showing the block plan, marquee position and licensable area to be submitted to and agreed by the Licensing Officer before the first event.
18. All windows shall be shut at 2200 hrs and not reopened for the remaining duration of the function.
19. There shall be no more than 100 events on the premises within any twelve month period.

The concerns raised by the objectors have been taken into account and the Sub-Committee wish to remind the objectors that should there be any cause for concern in the future, legislation allows for members of the community and responsible authorities to contact their licensing authority with complaints over the operation of the premises, leading to a possible review of the licence.

The meeting commenced at 10.00 am and concluded at 1.01 pm.

Chairman