

# APPENDIX A

WAVERLEY BOROUGH COUNCIL  
LICENSING SUB-COMMITTEE A  
30 AUGUST 2012

LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE –  
FARNHAM RUGBY UNION CLUB, WILKINSON WAY, MONKTON LANE,  
FARNHAM, SURREY, GU9 9ND

[Wards Affected: All Farnham Wards]

## **Summary and Purpose**

1. The purpose of the report is to enable the Sub-Committee to consider an application from Farnham Rugby Union Club Limited, for a new premises licence for Farnham Rugby Union Club, Farnham, Surrey, where representations have been received from 16 persons, 15 objections and 1 in support. Two of the objections have been withdrawn after amendments to the application following discussions between the applicant and the Police, leaving a total of 13 objections and 1 positive.

## **Background**

2. An application has been received for a new premises licence from Farnham Rugby Union Club Limited, for a two storey building comprising of eight changing rooms with toilets on the ground floor, with the first floor being the club house. The clubhouse has a balcony looking onto the rugby pitches, an office, kitchen, bar and can be divided into three separate areas.
3. The application proposes that the licence will allow the premises to sell alcohol for consumption both on and off the premises, regulated entertainment and late night refreshment. The application is for a full Premises Licence rather than a Club Premises Certificate but the proposed additional conditions set out in Annexe 2 will regulate activities to those similar to a club.

## **Activities Sought under this Licence Application**

4. The applicant seeks to license the premises as shown below. An extract of the relevant pages from the application form is attached at Annexe 1. Attached to this document at Annexe 2 are some amendments to the application following discussions between the applicant and Surrey Police. Also attached at Annexe 3 is a plan showing the area of the premises and surrounding properties.
5. In brief summary, the applicant seeks the following activities in the new licence, if granted. Please see application for activities in full.
  - **Regulated Entertainment** (Plays, Films, Indoor sporting events, Live & Recorded Music, Performance of Dance, Activities of similar description)

Sunday to Thursday	0900 to 2400
Friday & Saturday	0900 to 0100

- **Late Night Refreshment**

Sunday to Thursday	2300 to 0030
Friday & Saturday	2300 to 0130

- **Sale of Alcohol**

Sunday to Thursday	1000 to 0000
Friday & Saturday	1000 to 0100

- **Opening hours**

Sunday to Thursday	0090 to 0030
Friday & Saturday	0900 to 0130

### **Licensing Objectives**

6. The four Licensing Objectives of the Licensing Act 2003 are set out below. Any representations for consideration must relate to one or more of these objectives, and representations must be from the responsible authorities and/or from any persons under this legislation.

1. Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Nuisance
4. Protection of Children from Harm

### **Representations received**

#### **Responsible Authorities**

7. There have been no representations from Responsible Authorities, however Surrey Police have been in negotiation with the applicant and an amendment to the application was submitted and is reproduced at Annexe 2.

#### **'Another Person'**

8. There have been 16 representations from 'another person', of which one is in support of the application. Two of the representations have since been withdrawn following the agreed amendment with Surrey Police. The remaining 13 objections are reproduced at Annexe 4 and the positive response at Annexe 5.

The objections to the application have come from;

Local residents – 11  
Town Councillor (Weybourne & Badshot Lea) - 1  
Clerk to Farnham Town Council – 1

Councillor Gillian Beel, Farnham Weybourne and Badshot Lea Borough Ward Member has given notice she intends to speak on behalf of her local residents.

In brief summary the reasons for the representations are;

### **Prevention of Crime and Disorder**

- Alcohol related violence due to excessive hours
- Anti-Social behaviour
- Underage drinking

### **Public Safety**

- Increased threat to public safety re late closing and late sale of alcohol

### **Prevention of Nuisance**

- Noise and disturbance caused onsite or by increased traffic.
- Noise and disturbance re late opening hours and late alcohol sales
- Lighting on site for outside events

### **Protection of Children from Harm**

- Children in licensed premises in relation to the sale and consumption of alcohol
- Children potentially at risk from alcohol induced anti social behaviour

**IT IS NOT POSSIBLE TO SUMMARISE EVERY GROUND OF OBJECTION AND THIS IS AN OVERVIEW OF THE GENERAL CONCERNS**

### **What the Sub-Committee may do**

9. The Sub-Committee, after hearing from the applicant and those making representations, may take one or more of the steps listed below in order to promote the Licensing Objectives which have given rise to the representations in this case. Reasons must be given by the Sub-Committee for any decision made, since there is an opportunity for any applicant or any objector to appeal to the Magistrates' Court against the Licensing Sub-Committee decision. The Sub-Committee may:
  - Grant the application as submitted; or
  - Refuse the application; or
  - Reduce or refuse parts of the application submitted,
  - Add conditions to promote the Licensing Objectives, if the Sub-Committee considers it appropriate and proportionate in the light of the representations received.
10. An extract from the Government Guidance to local authorities under Section 182 of the Licensing Act 2003, relating to hearings - paragraphs 9.27 to 9.37 is attached as Annexe 6.
11. An extract from the Government Guidance to local authorities under Section 182 of the Licensing Act 2003, in relation conditions paragraphs 10.1 to 10.81 is attached as Annexe 7.

## Recommendation

1. The Sub-Committee is requested to consider the application for the grant of a premises licence on its merits.
2. Subject to paragraph (3) below, the Sub-Committee must grant the application subject only to such conditions as are consistent with the operating schedule and any mandatory conditions.
3. Having regard to the representations made, the Sub-Committee must take such steps (if any) as it considers appropriate for the promotion of the Licensing Objectives. Those steps are:
  - Grant the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objections and any mandatory conditions;
  - To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - To refuse to specify a person as the designated premises supervisor; or
  - To reject the application.

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## Background Papers

Application referred to above, representations referred to above.

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