

MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE 'A'  
30 AUGUST 2012

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING  
27 SEPTEMBER 2012

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

Cllr Gillian Beel                      Cllr Brett Vorley  
\* Cllr Elizabeth Cable  
   \* Cllr Simon Inchbald \*Cllr Carole King

\* Present

Cllr Gillian Beel attended to represent her Ward residents.

Robin Pellow, Head of Democratic & Legal Services, advised that under delegated authority Cllrs Inchbald and King had been authorised to attend in place of Cllrs Beel and Vorley

1. ELECTION OF CHAIRMAN (Agenda Item 1)

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

2. DISCLOSURE OF INTERESTS (Agenda Item 2)

Cllrs Beel and Vorley had declared personal interests and did not take part as Members of the Sub-Committee.

**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**

3. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – FARNHAM RUGBY UNION CLUB, WILKINSON WAY, MONKTON LANE, FARNHAM GU9 9ND (Appendix A)

3.1 The Licensing Manager introduced the application and outlined the matter that the Sub-Committee was being asked to decide and advised the Sub-

Committee that the application had been amended following discussions between the applicant and Surrey Police.

- 3.2 The Applicant then introduced those present and speaking on behalf of the application and said that the intention was to offer the local community the opportunity to hire the new facilities for events such as business meetings, weddings and parties, which in turn would help to fund the new building.
- 3.3 Following questions from the Sub-Committee the applicant then explained why they had submitted such a comprehensive application and the reason they had applied for the broad range of activities. The Club's main purpose was rugby, but in applying for the hours and activities it would give them flexibility for hiring the Club House facilities out for a variety of events. The applicant did not expect that the full hours applied for would be used, but would accommodate everything from business meetings starting at 9am in the morning and catering for lunch with alcohol available, to exercise classes, film clubs in the early evening and weddings and parties which would require music, dancing and alcohol until late into the evening. The applicant further explained that requests for events would be scrutinized by the Rugby Club Committee who would be in control of authorising events at which the Club House Manager would be present.
- 3.4 Following a question from the Sub-Committee the applicant advised that the bar would be open for members of the Club and their friends only on Mondays to Thursdays when there was training, Fridays for events for members and on Saturdays and Sunday when there were Senior and Mini matches.
- 3.5 The Sub-Committee were concerned over the application for activities to take place indoors and outdoors and questioned the applicant on the necessity for both. The applicant advised the Sub-Committee that when Rugby Tournaments took place marquees would be erected outside at which entertainment could take place for players and spectators and was particularly necessary during bad weather. These events usually started at 10am and finished around 5/6pm. Films were shown in the marquees.
- 3.6 The Sub-Committee were also concerned over the numbers that might be expected to turn up for mini/junior tournaments and how 2000 people might be catered for, especially with regard to parking. The applicant advised that the Club had approximately 100 parking spaces with arrangements with the David Lloyd Centre to use their car park and possibly the Football Club.
- 3.7 Cllr Gillian Beel then spoke against the application on behalf of a Farnham Town Councillor, who had objected but was unable to be present, and local residents. The Farnham Town Councillor had suggested that the application was more in keeping for that of a night club/public house rather than a Rugby Club. He was concerned that there would be significant noise impact upon neighbouring properties, and suggested that the Rugby Club might wish to undertake measures to mitigate noise pollution before submitting a further application.

- 3.8 Cllr Gillian Beel then made her representation. Cllr Beel supported the conditions suggested by Surrey Police, but on behalf of her Ward residents strongly opposed the sale of alcohol as Off Sales, the number of outdoor events (6) per year that might accommodate up to 2000 people – which would result in noise issues for local residents, and questioned the availability of car parking for upward of 1000 vehicles for those events. Cllr Beel referred to Licensing Objectives relating to Public Nuisance, Public Safety and Crime and Disorder which large number of parked cars would cause on a country lane, and noise from cars arriving and leaving which could disturb young children (Protection of Children from Harm). Cllr Beel asked the Sub-Committee to at least limit the number of guests on those occasions to a maximum of 175.
- 3.9 Cllr Beel further questioned the necessity for a Rugby Club to need activities such as Plays, Films and Facility for Making Music on their Premises Licence.
- 3.10 Cllr Beel opposed the late night hours for the sale of alcohol which caused the greatest concern, and suggested a finishing time of 23.00 Sunday-Thursday and Midnight Friday & Saturday. Cllr Beel wished the youngsters well who played rugby, but was concerned over their wellbeing during the proposed long hours of alcohol sales.
- 3.11 The objectors present then gave their representations. Their main concerns were the lack of communication between the Club and local residents, noise from and number of outdoor events and their duration – including the Club House Balcony, the hours for the sale of alcohol and the traffic issues. The Licensing Manager clarified that that there would be a maximum of 6 outdoor events per year each one not going beyond midnight – therefore a one day event. Following a question regarding the application for Off Sales, it was clarified that the intention was not to act as an Off-Licence but to allow guests who had purchased a bottle of wine and not finished it to take it off the premises. With regard to traffic issues, this was a planning issue and could not be taken into consideration by the Sub-Committee.
- 3.12 The Licensing Manager then clarified that the activities relating to 'outdoors' were for 6 outdoor activities per year only – everything else related to the inside of the Club House. The licensable area referred to the Club House building only.
- 3.13 Following questions from the Sub-Committee regarding the consumption of food and alcohol on the Club House balcony, the applicant indicated that they would agree that no food or alcohol be allowed on the balcony after 22.00.
- 3.14 In taking into account the representations from the objectors, the Head of Democratic and Legal Services advised that that unless there was actual evidence of issues relating to the Licensing Objectives it was difficult for the Sub-Committee to take these into account. However, should issues arise in the future members of the community could contact their licensing authority which could lead to a possible review of the licence.

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3.15 In summing up the applicant said the Club would be happy to engage with local residents regarding events at the Club and to participate in a Liaison Group at regular intervals.

3.16 The Sub-Committee then withdrew at 12.14 p.m.

Following the Sub-Committee's deliberation the meeting resumed at 13.20 p.m.

During the deliberations the Head of Democratic and Legal Services was asked to advise the Sub-Committee on suitable wording for a Condition.

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

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

The Sub-Committee agreed to grant the licence but to address the concerns raised over Public Nuisance (LO3) and disturbance to neighbouring residents the Sub-Committee decided to amend the licence and include Conditions as follows:

Sale of Alcohol	Sun-Thurs	10.00 – 23.00
	Fri-Sat	10.00 – 24.00

Hours Premises are Open to the Public		
	Sun-Thurs	09.00-23.30
	Fri-Sat	09.00-00.30

Late Night Refreshment		
	Sun-Thurs	23.00-23.30
	Fri-Sat	23.00-00.30

Sections A, B & C		
	Sun-Thurs	09.00-23.00
	Fri-Sat	09.00-24.00

Sections A & B Indoors Only

Times for Sections E F G H I J K as Section M (Sale of Alcohol)

All outdoors licensable activities to cease at 22.00

To add at Section N – Members Only.

CONDITIONS

As per page 27 of the agenda papers with the following amendment:

“There will only be a maximum of six outdoor events per year which will be limited to a maximum of 2000 persons and no live or recorded music at these events will be allowed outside after 22.00 including the balcony. The events

will be notified to the police licensing officer and licensing authority at least two weeks in advance.”

The final paragraph to be deleted.

As per 28 of the agenda papers with the following amendment:

- No. 4. Outside areas including the balcony will not be used for the consumption of alcohol or food after 22.00.
- No. 5. No glasses or bottles will be allowed to be taken outside including the balcony after 22.00.
- No.8 All external doors and windows will be kept closed during regulated entertainment, except for access to and egress from the premises.

The Sub-Committee wished to encourage the setting up of Liaison Committee between the Club Committee and local residents on a regular basis so that any concerns could be addressed.

The Sub-Committee wished to remind the objectors that should there be any cause for concern in the future, legislation allowed for members of the community 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 13.24 p.m.**

Chairman