

WAVERLEY BOROUGH COUNCIL

LICENSING SUB-COMMITTEE 'B' – 22 NOVEMBER 2010

LICENSING ACT 2003 - APPLICATION FOR VARIATION TO CLUB PREMISES
CERTIFICATE – BRAMLEY GOLF CLUB, LINKS ROAD, BRAMLEY, GUILDFORD,
SURREY GU5 0AL

[Wards Affected: Bramley, Busbridge & Hascombe Ward]

Summary and Purpose

1. The purpose of the report is to enable the Sub-Committee to consider an application from Mark Walden, Club Secretary for variation to the Club Premises Certificate of Bramley Golf Club, Links Road, Bramley, Guildford, Surrey GU5 0AX.

Background

2. An application has been received for a variation to a Club Premises Certificate for this Golf Club to;
 - a. Permit the provision of regulated entertainment (Plays, Films, Indoor sporting events, Live & Recorded Music, Performance of Dance and facilities for Dancing).

Mon to Sat 10.00 – 01.00
Sunday 10.00 – 22.30

- b. Amend the records/plan re alterations made to the premises
 - c. To increase hours permitted to sell/supply alcohol to;

Mon to Sat 10.00 – 01.00
Sunday 10.00 22.30

Activities Sought under this Licence Application

3. An extract of the relevant pages from the application form is attached at Annexe 1. Both the old plan and the new plan of the club with the alterations are attached at Annexe 2. At Annexe 3 is a plan showing the area of the premises and surrounding properties. Please see application for activities in full.

Current Licensed activities

4. The premises was the subject of conversion and variation in the transitional period, under the 2003 Licensing Act. Accordingly, Bramley Golf Club, was granted a Club Premises Certificate.

A copy of the latest Club Premises Certificate is attached ([Annexe 4](#)) and summarised below:

Sale by Retail of Alcohol

Monday - Saturday	11.00 - 23.00
Sunday	12.00 - 22.30

Licensing Objectives

5. 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 interested parties and/or from the responsible authorities under this legislation.
1. Prevention of Crime and Disorder
 2. Public Safety
 3. Prevention of Nuisance
 4. Protection of Children from Harm

Representations received

6. Responsible Authorities
There have been no representations from Responsible Authorities. However, both the Police and Environmental Health have been in discussion with the applicant and recommended some conditions, which the applicant has put forward as amendments to his application, reproduced at [Annexe 5](#).

Interested Parties

Fourteen representations have been submitted by local residents (interested parties). These are reproduced at [Annexe 6](#).

What the Sub-Committee may do

7. 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 that 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 the applicant and the interested parties to appeal to the Magistrates' Court against the Licensing Sub-Committee's decision. The Sub-Committee may:-
- Grant the application as submitted;
 - Refuse the application;
 - Reduce or refuse parts of the application submitted; or
 - Add conditions to meet the Licensing Objectives if the Sub-Committee considers it necessary in the light of the representation received.
8. An extract from the Government Guidance to local authorities under Section 182 of the Licensing Act 2003, as it applies to this application - paragraphs 9.19 to 9.28 - is attached as [Annexe 7](#).

Human Rights considerations

9. The Human Rights Act 1998 makes it unlawful for a local authority to act in a way that is incompatible with the European Convention on Human Rights. The Council will have particular regard to the following Convention rights:

Article 6 - Right to a Fair Trial/Hearing:

In the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Article 8 - Right to Respect for Private and Family Life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others.

Subsequent Developments in this Application Procedure

10. Any subsequent developments in the application process will be reported at the meeting.

Recommendation

It is recommended that the application for a variation to a Club Premises Certificate for Bramley Golf Club, Links Road, Bramley, Guildford, Surrey, GU5 0AL be considered and determined having regard to the representations received, the statutory guidance and the Council's Statement of Licensing Policy 2008 - 2010. The Sub-Committee must take such steps (if any) as it considers necessary to promote the Licensing Objectives, having heard from the applicant and those making written representations.

Background Papers

Application referred to above, representations referred to above.

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