

# APPENDIX A

## WAVERLEY BOROUGH COUNCIL

### LICENSING SUB-COMMITTEE C - 21 MAY 2012

#### LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – CENTRAL DINING ROOMS, CHARTERHOUSE, GODALMING GU7 2DX

[Wards Affected: Godalming Charterhouse]

#### **Summary and Purpose**

1. The purpose of the report is to enable the Sub-Committee to consider an application from Timothy Ostle, Charterhouse Commercial Director, for a new premises licence for Central Dining Rooms, Charterhouse, Godalming, Surrey GU27 1PN where a representation has been received.

#### **Background**

2. An application has been received for a new premises licence from Mr Ostle for the Central Dining Rooms. The building is set within the 250 acre grounds of the Charterhouse School, a private boarding school (predominantly), taking boys from 13 and girls in the Sixth Form.
3. The building currently has a premises licence but has recently been extended to accommodate two additional dining rooms which the existing Premises Licence does not cover.
4. The application proposes to licence the whole building including the new extension and to increase/add licensable activities. It is stated that if successful the existing licence (pre extension) will be relinquished.

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

5. 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 at Annexe 2 is a plan showing the area of the premises and surrounding properties. In brief summary, the applicant seeks the following activities (after negotiations with Surrey Police) in the new licence, if granted. Please see application for activities in full.

- **Regulated Entertainment (Live & Recorded Music, Performance of Dance, Facilities for Making Music and Dancing)**

Monday to Saturday	1800 to 2359
Sunday	1800 to 2300

- **Sale of Alcohol**

Monday to Saturday	1200 to 2345
Sunday	1200 to 2245

- **Opening hours (Operating Hours – not open to the public)**

Monday to Saturday	0600 to 2359
Sunday	0600 to 2300

6. The existing Premises Licence (pre extension), attached at Annexe 3, in brief has the following activities;

- **Regulated Entertainment (Live Music, Facilities for Dancing)**

Friday	1930 to 0100
The second Friday of December only	

- **Sale of Alcohol**

Monday to Saturday	1000 to 2300
Sunday	1200 to 2230
The second Friday of December until 0100	

- **Opening hours**

Monday to Saturday	1000 to 2300
Sunday	1200 to 2230
The second Friday of December until 0100	

### **Licensing Objectives**

7. 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 listed under this legislation, or any other person.

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

### **Representations received**

#### **Responsible Authorities**

8. There have been no representations from Responsible Authorities, however Surrey Police have been in negotiations with the applicant and an amendment to the application was submitted, reproduced at Annexe 4

#### **Interested Parties**

9. There has been one representation from 'another person' and this is reproduced at Annexe 5. The other person is a member of the Licensing Authority and local resident, though not one of the local Ward Members.

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

10. The Sub-Committee, after hearing from the applicant and the party making a representation, 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's 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 necessary and proportionate in the light of the representations received.
  
11. An extract from the recently amended 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.

## **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 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 Objectives, 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 in the premises licence as the designated premises supervisor; or
  - To reject the application.

## **Background Papers**

Application referred to above, representations referred to above.

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