

# APPENDIX A

## WAVERLEY BOROUGH COUNCIL

### LICENSING SUB-COMMITTEE C

22 JULY 2013

#### LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – BARUBA, 4 CAMBRIDGE PLACE, EAST STREET, FARNHAM, SURREY, GU9 7RX

[Ward Affected: Farnham Moor Park]

#### **Summary and Purpose**

1. The purpose of the report is to enable the Sub-Committee to consider an application from Mr Matthew Webster, for a new premises licence for, Baruba, 4 Cambridge Place, Farnham, Surrey GU9 7RX where 1 valid representation has been received.

#### **Background**

2. An application has been received for a new premises licence from Mr Matthew Webster, for a cocktail lounge in a single room layout with seating and toilets situated on the upper floor. The premises are situated in a commercial pedestrianised parade. A floor plan is attached at Annexe 2.
3. The application proposes that the licence will allow the premises to sell alcohol for consumption on the premises only and for regulated entertainment.

#### **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 4 & 5 are some amendments to the application following discussions between the applicant, Surrey Police and Environmental Health. 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**

- Films

Monday to Saturday	1700 to 2400
Sunday	1100 to 2300

- Live Music

Monday to Wednesday	1700 to 2400
Thursday to Saturday	1700 to 2430
Sunday	1100 to 2300

### Recorded Music

Monday to Wednesday	0800 to 2430
Thursday to Saturday	0800 to 0130
Sunday	0900 to 2330

- **Sale of Alcohol**

Monday to Wednesday	1000 to 0000
Thursday to Saturday	0800 to 0100
Sunday	1000 to 2300

- **Opening hours**

Monday to Wednesday	0800 to 0030
Thursday to Saturday	0800 to 0130
Sunday	0900 to 2330

### **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 Public Nuisance
4. Protection of Children from Harm

### **Representations received**

#### Responsible Authorities

7. There have been no representations from Responsible Authorities, however Surrey Police and Environmental Health have been in negotiation with the applicant and amendments to the application were submitted and are reproduced at Annexe 4 and Annexe 5 respectively.

#### 'Other Persons'

8. Besides Responsible Authorities, "other persons" may make representations. There has been 1 valid representation from "other persons". The representation is attached at Annexe 6

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

9. The Sub-Committee, after hearing from the applicant and those making representations, must take one or more of the steps listed below (if any) as it considers appropriate in order to promote the Licensing Objectives. 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 steps are:

- Grant the application 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;

- Exclude from the scope of the licence any of the licensable activities to which the application relates;
- Refuse to specify a person as the premises supervisor;
- Reject the application

### **Recommendation**

The Sub-Committee is requested to consider the application for the grant of a premises licence on its merits.

1. Having regard to the representations made, the Sub-Committee must take such of the steps outlined below (if any) as it considers appropriate for the promotion of the Licensing Objectives. Those steps are:
  - To 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 as the premises supervisor;
  - To reject the application.

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### **Background Papers**

Application referred to above, representations referred to above.

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