

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE A - 2 MAY 2017

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

Present

Cllr Libby Piper
Cllr Simon Inchbald

Cllr Anna James

12. ELECTION OF CHAIRMAN (Agenda item 1.)

Councillor Simon Inchbald was appointed as Chairman of this meeting of Licensing Sub-Committee A.

13. MINUTES (Agenda item 2.)

The minutes of the meeting which took place on 22 November 2016 were confirmed and signed.

14. DISCLOSURE OF INTERESTS (Agenda item 3.)

There were no disclosures of interest.

15. LICENSING ACT 2003 - APPLICATION FOR VARIATION TO AN EXISTING PREMISES LICENCE - THE RED LION, 1 MILL LANE, GODALMING, SURREY GU7 1HF. (Agenda item 4.)

The Sub-Committee received a report on an application for the variation to an existing premises licence for the Red Lion, 1 Mill Lane, Godalming. The application had received 13 representations from 'other persons' but none had been received from responsible authorities.

The Sub-Committee was advised that the applicant sought to amend the layout of the premises and also sought the following amendments:

- extend the live & recorded music hours until 0100 on a Friday & Saturday
- extend the live & recorded music hours until 0000 on a Monday to Thursday
- Late Night Refreshment to be permitted Monday to Thursday from 2300 till 0000
- Extend the alcohol sales until 0000 Monday to Thursday
- Non standard timings added
- Opening hours Monday to Thursday 1000 till 0030, Friday & Saturday 10.00 till 0130 and Sunday 10.00 till 2330
- Remove a number of conditions and add some new ones

The Committee asked a number of questions in relation to the use of the outdoor space, staffing arrangements and particular concerns regarding noise emanating from the premises. The Applicant explained how the premises had changed in management and they were looking to attract different clientele. The new layout would also prevent noise and they would have good management in place to prevent inappropriate behaviour/nuisance.

Following the conclusion of questions, the Sub-Committee then withdrew and the Council's Solicitor confirmed she had been asked to advise the Sub-Committee during their deliberation on the wording of their decision which was as follows:

The Sub-Committee carefully considered the application for variation of a premises licence, taking into account the representations received, statutory guidance and the Council's Statement of Licensing Policy 2013-2018.

The Sub-Committee agreed to grant the variations listed below to the licence as it did not consider that there was sufficient substantiated evidence submitted by the objectors to refuse the entire application. The Sub-Committee had heard about complaints regarding noise emanating from the premises. However, there was nothing that had been submitted since 2013 to substantiate this.

In terms of changing the hours for regulated entertainment Friday and Saturday, the Sub-Committee were in agreement that these could increase as requested. And, similarly agreed the changes for seasonable variations and for Licensable activities on Monday to Thursday.

The Sub Committee were in agreement for the removal of condition 7 in relation to small band/single or duo entertainment on the license and the juke box condition.

The Sub-Committee were also in agreement of the removal of the restrictions outlined in pages 16 and of the agenda report. However, the Sub-Committee have decided not to remove the restriction on the hours of use of the patio to the rear of the premises. This area occupies an exposed position with an open space between it and nearby dwellings across which sounds can travel unhindered. No compelling reason was given for the change and the sub-committee considered that its use at such a late hour when there is little other background noise has the potential for causing serious disturbance to local residents.

The Sub-Committee were in agreement with all the conditions suggested on pages 36 and 37 of the agenda report. But, Reference to Sussex police should be amended to Surrey Police throughout the application. Condition 10 should also be amended to delete the word "in" from the 4th bullet point and to add that the book being kept on the premises should be made available for reasonable inspection by competent authorities.

The Sub-Committee noted the concerns from local residents and encouraged them, if there are problems in the future to bring them to the attention of the local authority with supporting evidence, but also encourage them, in the first instance, to speak with the applicants and seek an amicable solution.

Chairman