

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE C - 21 AUGUST 2017

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING

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

**Present**

Cllr Michael Goodridge  
Cllr Simon Inchbald

Cllr Carole King

8. ELECTION OF CHAIRMAN (Agenda item 1.)

Councillor Goodridge was appointed as Chairman for the Licensing Sub-Committee C for this meeting.

9. MINUTES (Agenda item 2.)

The minutes of the meeting that took place on 10 July were confirmed and signed.

10. LICENSING ACT 2003 - APPLICATION FOR VARIATION TO AN EXISTING PREMISES LICENCE - LYTHE HILL HOTEL & SPA, PETWORTH ROAD, HASLEMERE, SURREY GU27 3BQ. (Agenda item 3.)

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

On the balance of probabilities the Sub-Committee found that on the evidence before them the application could be granted. The Sub-Committee therefore grant the amended application with the following conditions which are to prevent public nuisance:

1. The Marquee and the Function Room are not to be used at the same time for an event. They must not be used simultaneously.
2. The Marquee can only to be used during the hours and dates of British summertime.
3. The siting of the speakers within the Marquee should be repositioned to face southwest down the hill facing away from the toilets.

The Sub-Committee have fully considered the views of the objectors and the objectors' fears that public nuisance problems could arise through noise emanating from the Marquee.

The Sub-Committee was considering the siting of the Marquee which was indicated on Annexe 4. It feels that the objection arising from Barfold Farm relates more to the siting of the Marquee close to its boundary which is not the one which was

under consideration at this Hearing. The other siting would be subject to planning consent and the applicants would also need to make a further application to vary the Licence to the Sub-Committee.

The Sub-Committee notes the objections relating to fireworks but it is not in the remit of the Licensing Sub-Committee but is subject to the laws of the land.

The Sub-Committee considers that the conditions imposed by the committee adequately address the concerns by the Objectors. They are designed to minimise the impact of the licence variation.

The Sub-Committee is conscious that should there be any cause for concern in the future, legislation allows for members of the community and responsible authorities to contact their licensing authority with complaints over the operation of the premises, leading to a possible review of the licence in the future.

11. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - NEWFANGLED, 15 JUNCTION PLACE, HASLEMERE, SURREY, GU27 1LE  
(Agenda item 4.)

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

The Sub-Committee noted that one representation had been received on the Licensing Objective of public nuisance and crime and disorder. The objection from Surrey Police had been withdrawn following the agenda being published as the applicants had met with the Licensing Officer and they confirmed at the Hearing that they would accept all the conditions, as noted in the letter of 5th July 2017 (and detailed in the agenda at page 64) imposed from Surrey Police. These conditions are imposed on the Licence. The Sub-Committee delegate to Waverley's Licensing Officer to discuss with Surrey Police amending the first condition noted in the letter to clarify the position of storage and retention of CCTV recordings.

During the hearing the Applicants also confirmed that they would voluntarily accept to amend their application in relation to only serving alcohol with plated food. This would also be conditioned on the Licence to make this amendment clear and enforceable.

The Sub-Committee recognised the concern of the local resident who made an objection that problems could arise, but the Sub-Committee feels there is insufficient evidence to refuse the application or impose any further conditions. Furthermore, the applicant confirmed that they were not intending to open the premises as a drinking establishment but primarily for food. They also only had planning consent for A3 use and mixed use would require a variation and a new application for change of use.

On the balance of probabilities the Sub-Committee found that on the evidence before them the application could be granted with the additional conditions as agreed at the hearing with the applicant and noted in the decision above.

The Sub-Committee is conscious that should there be any cause for concern in the future, legislation allows for members of the community and responsible authorities to contact their licensing authority with complaints over the operation of the premises, leading to a possible review of the licence in the future.

**Chairman**