

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE B - 11 DECEMBER 2017

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING – 15
JANUARY 2018

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

Present

Cllr Bob Upton
Cllr Patricia Ellis

Cllr John Fraser

1. ELECTION OF CHAIRMAN (Agenda item 1.)

Councillor Bob Upton was appointed as Chairman of this meeting of Licensing Sub-Committee B.

2. MINUTES (Agenda item 2.)

The minutes of the meeting which took place on 18 July 2016 were confirmed and signed.

3. DISCLOSURE OF INTERESTS (Agenda item)

There were no disclosures of interest.

4. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - CRANLEIGH FOOD AND WINE, EWHURST ROAD, CRANLEIGH, SURREY, GU6 7AE (Agenda item 3.) (Pages 5 - 8)

The Sub-Committee received a report outlining an application for a new premises licence for Cranleigh Food and Wine, Ewhurst Road, Cranleigh. The application had received 17 relevant representations from 'other persons' but none had been received from responsible authorities.

The application sought a licence that would authorise the sale of alcohol for consumption off the premises only at the times shown below.

Sale of Alcohol: (Off the premises only)

0800 to 2300 Monday to Saturday
0800 to 2230 Sunday

Opening hours:

0800 to 2300 Monday to Sunday

During the hearing the Licensing Manager confirmed with the applicant that the opening hours on Sundays should be 0800 to 2230 to correspond with the hours for the sale of alcohol.

The Licensing Manager informed the Sub-Committee that in addition to the 17 representations set out in the report, one representation in support had been received which had been accidentally omitted from the agenda papers. A further two objections had been received after the deadline for representations, however the applicant agreed that these could be considered by the Sub-Committee. These representations are attached as an annexe to these minutes.

The Sub-Committee invited the applicant to outline their application. They explained that proposed sale of alcohol at the store would complement the sale of convenience foods at the store, as well as at nearby takeaways. The family currently ran a similar convenience store in Farncombe and would utilise the experience gained at this store at their new premises. The Sub-Committee asked the applicant to approximate what percentage of sales would be alcohol in comparison with food. The applicant responded that they expected around 90% of sales to be convenience food (milk, bread newspapers, etc.) and 10% to be alcohol.

Members asked the applicant to explain what measures would be put in place to protect children and prevent public nuisance and crime. The applicant referred to the information supplied with their application, and added that they had been running a convenience store in Farncombe for 10 years and was always careful to check young people's IDs. The applicant also stated that they would be willing to install CCTV cameras outside of the store help deter public nuisance and crime.

Five of the objectors were present at the meeting and nominated one person to summarise their concerns. She explained that while she admired the applicants' entrepreneurial spirit, the objectors felt that this location was not appropriate for this type of business. There had been reports of burglaries and thefts from other shops in Cranleigh, and the objectors felt that this store, in a more isolated location, would be vulnerable to crime. There were also concerns raised over inappropriate parking and increased levels of noise and litter.

Following the conclusion of questions, at 10.49am, the Sub-Committee withdrew to consider the application. The Sub-Committee reconvened at 11.36am and the Council's Solicitor confirmed he had been asked to advise the Sub-Committee during their deliberations on the wording of their decision which was as follows:

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.

During the hearing, the Sub-Committee had heard from the applicants that the opening times on Sundays would be 0800 to 2230 to correspond with the hours for the sale of alcohol.

On the balance of probabilities the Sub-Committee found that on the evidence before them the application could be granted. The Sub-Committee had fully considered the views of the objectors and sympathised with their concerns that public nuisance problems could arise through increased levels of noise and litter, as well as public safety concerns relating to parking. The Sub-Committee, however, did not consider that there was sufficient substantiated evidence to reject or amend the application.

The Sub-Committee noted that Surrey Police, the responsible authority for Crime and Disorder, had proposed a number of conditions to be added to the licence and that these had been accepted by the applicant. In view of this, Surrey Police had not raised any objection to the application.

The Sub-Committee was 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.

The Sub-Committee advised all parties that they had a right of appeal with the Magistrates' Court within 21 days of the decision being received in writing.

The meeting commenced at 10.00 am and concluded at 11.40 am

Chairman

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Address **Cranleigh Food and Wine, Content A Pet, Ewhurst Road, Cranleigh, Surrey, GU6 7AE.**

Worksheet | Licensing | Premises | Operating Schedule | Representations | Hearing | Further Data | Schedule | Actions | Us

Representations / Consultations

Type **NEIG** Neighbour **Attend Hearing**

Address **[REDACTED]**

Where consultation with an agency:

Date Sent **25/10/2017** Return Target **28/11/2017**

Date Received **28/11/2017** Response **SUPP** **Supported**

Notes
 I fully support the application, the shop has been there for many years but I have not been able to make use of it as I do not have any pets. The proposed convenience store will compliment the existing trades in the area and provide a much needed service to the local community without having to move cars or increase traffic. I and many other people in the area will certainly make use of the store and no doubt when at weekends my family and I feel like having a Chinese/Indian takeaway would find it very handy to collect a bottle of wine to take home.

Completed **[REDACTED]** Decision **[REDACTED]**

Officer **[REDACTED]** **OK** **Cancel**

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Too late (18)

Kate Halsall

From: [REDACTED]
Sent: Thursday 30 November 2017 10:38
To: Licensing Policy
Subject: Cranleigh Food and Wines, Ewhurst Road, Cranleigh
Categories: Red Category

I wish to object to the licensing of these premises on the following grounds:

- 1. PUBLIC SAFETY.
- 2. PROTECTION OF CHILDREN FROM HARM

The premises are situated on a dangerous junction - visibility when exiting Mead Road is poor and Mead Road narrows suddenly when entering it. Many pedestrians including schoolchildren use this junction. There have been many near collisions of cars here. There are double yellow lines for hundreds of metres in all directions - parking is therefore a major issue. This is already massively abused by patrons of the existing premises, as is the speed limit on an increasingly busy Ewhurst Road. These above points mean poor safety for all users of this area which include schoolchildren going to the schools in the vicinity and also has implications for access to and from the fire station.

- 3. PREVENTION OF CRIME AND DISORDER
- 4. PREVENTION OF PUBLIC NUISANCE

The wide proposed opening hours will encourage the purchase of alcohol not only during the daytime but also in the evening with resultant anti-social behaviour in and en route to residential areas. This already exists as there are several pubs in the area and will only get worse.

[REDACTED]

Too Late 19

28th November 2018



Licensing Department
Waverley Borough Council
The Burys
Godalming GU7 1HR

Re Cranleigh Food and Drink, Ewhurst Road, Cranleigh

Dear Sirs,

I see that an application has been made for an Off Licence permit at the above address. Please accept this letter as my objection, not only to the selling of alcohol from these premises but also the to the proposed opening hours. In principal I am happy for there to be a convenience store but considering the appalling parking problems on this corner particularly during the evening caused by illegal parking (on pavement, on double yellow lines and frequently within only a few feet of or on the junction of Mead Road) caused by the take-away restaurant and public house, a convenience store in this location will only serve to make a bad situation worse particularly at night.

Previously this building was used a pet supplies shop. Most customers parked immediately outside the shop causing further safety problems in a very narrow part of the road. I am sure a convenience store would have more customers, all of whom would expect to be able to park immediately outside (for convenience obviously)

There are already plenty of places in Cranleigh to purchase alcohol up until 10pm and there is no need for additional facilities that could encourage more litter, rubbish and disturbance that we frequently get particularly on Friday and Saturday evenings.

Yours Sincerely

