

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE B - 9 AUGUST 2018

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

**Present**

Cllr Michael Goodridge  
Cllr Libby Piper (Substitute)

Cllr Bob Upton

**Apologies**

Cllr Robert Knowles

12. ELECTION OF CHAIRMAN (Agenda item 1.)

Councillor Michael Goodridge was appointed Chairman for the meeting.

Councillor Libby Piper substituted for Councillor Robert Knowles.

13. MINUTES (Agenda item 2.)

The notes of the meeting which took place on 8 May 2018 were confirmed and signed.

14. LICENSING ACT 2003 - TEMPORARY EVENT NOTICE WITH ENVIRONMENTAL HEALTH OBJECTION THE FOX, 21 FRENTHAM ROAD, LOWER BOURNE, FARNHAM, SURREY, GU10 3PH (Agenda item 3.)

The Sub-Committee received a report outlining an application for a standard Temporary Event Notice (TEN) from The Fox, 21 Frentham Road, Lower Bourne, Farnham. The application had received 1 relevant representation from a responsible authority, namely, Environmental Health.

The 'premises user' under the TEN, Mr Matthew Eaton is the current Designated Premises Supervisor of The Fox, sought to have regulated entertainment and sale of alcohol for consumption on the premises only, from 1400 until 2300 hours on the 11 August 2018, for a weekend long beer and music festival in their expansive garden 'Fox Fest'. The TEN would allow customers to remain in the garden area from 9-11pm on the Saturday, allowing for regulated entertainment in that area and sale of alcohol which was currently not permitted on their standard licence.

The Sub-Committee noted that Environmental Health had raised an objection to the Notice on the grounds of Prevention of Public Nuisance but there had been no representation from the Police.

The Sub-Committee invited the applicant to outline their reasons for the application and Members also heard the responsible authority. It was noted during discussion

that the applicant did not intend to have music outside but this was to aid dispersal in the later hours. It was also noted from the responsible authority that there had been a number of complaints that under the current conditions, these were not being adhered to, specifically people not leaving the garden area after 9pm. However, this was something that they would be keeping a close eye on and possibly be subject to a review in the future if it continued.

Following the conclusion of questions, the Sub-Committee withdrew to consider the application. The Sub-Committee reconvened and the Council's Solicitor confirmed they 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 TEN, taking into account the representation(s) received, statutory guidance and the Council's Statement of Licensing Policy 2013-2018.

The Sub-Committee agreed to grant the TEN on Saturday. However, taking into account the concerns of the Environmental Health Officer, and noting the recent complaints and observations including those received from local residents, the Sub-Committee added conditions noted below, which already applied to the premises license. Having heard representations from both parties, the amendment/additional conditions were proportionate and appropriate to address the licensing objective relating to Prevention of Nuisance.

The following were highlighted to the applicant and were imposed on the TEN:

- No music outside of the premises after 8.30pm. This was indicated by the applicant at the hearing.
- There was adequate supervision within the curtilage of the premises and in the garden to ensure that customers left quietly and noise was kept to a minimum during the course of the event.
- That the Garden and Patio management plan would operate until 11pm on the Saturday evening.

The Sub-Committee asked that the applicant closed all windows and doors in the premises save for ingress and egress from 9pm to minimise the possible effects of noise emanating from the premises.

The Sub-Committee observed that the applicant had contacted local residents and provided them with contact details if there were any issues. The Panel requested that the applicant continued this communication throughout the course of the event.

**The meeting commenced at 11.00 am and concluded at 12.35 pm**

**Chairman**