

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE A - 6 SEPTEMBER 2018

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING – 12  
NOVEMBER 2018

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

**Present**

Cllr Simon Inchbald  
Cllr Libby Piper

Cllr Peter Isherwood

**Apologies**

Cllr John Fraser

30. ELECTION OF CHAIRMAN (Agenda item 1.)

Councillor Simon Inchbald was elected as Chairman for this meeting.

31. MINUTES (Agenda item 2.)

The minutes of the meeting that took place on 9 July were confirmed and signed.

32. DISCLOSURE OF INTERESTS (Agenda item 3.)

There were no declarations of interest.

33. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE -  
BLOOM, 7 THE BOROUGH, FARNHAM, SURREY GU9 7NA (Agenda item 4.)

The Sub-Committee received a report outlining an application for a new premises licence for Bloom, 7 The Borough, Farnham, Surrey GU9 7NA. 1 relevant representation from 'other persons' but none had been received from responsible authorities.

The application sought a new licence that would authorise the sale of alcohol for at the times shown below.

- Regulated Entertainment (Live & Recorded Music)
  - 1100 to 0000 Monday to Wednesday
  - 1100 to 0100 Thursday & Friday
  - 1000 to 0100 Saturday
  - 1000 to 2300 Sunday
  
- Sale of Alcohol: (On and off the premises)
  - 1100 to 0000 Monday to Wednesday
  - 1100 to 0100 Thursday & Friday
  - 1000 to 0100 Saturday
  - 1000 to 2300 Sunday

- Opening hours:
  - 1100 to 0000 Monday to Wednesday
  - 1100 to 0100 Thursday & Friday
  - 1000 to 0100 Saturday
  - 1000 to 2300 Sunday

The Sub-Committee invited the applicant to outline their application and Members also noted the concerns from the person who made the objection.

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 new premises licence, taking into account the representation received, heard from the parties present, as well as statutory guidance and the Council's Statement of Licensing Policy.

The Sub-Committee noted that a representation had been received and was engaged in relation to one of the four Licensing Objectives, prevention of nuisance and made the following observations:

On the balance of probabilities the Sub-Committee decided that on the evidence before them to grant the licence as it did not consider that there was sufficient substantiated evidence to reject the application.

However, taking into account the concerns of the objectors the Sub-Committee have added conditions to the licence as follows. The additional conditions were proportionate and appropriate in order to address and promote the licensing objectives.

The first addition, is in relation to the hours, of which the applicant had already agreed to at the hearing, to reduce the sale of alcohol by 15 minutes for all days as a "drinking up" time. This replaces the applicant's proposal of the 'wind down period'

The second condition was to restrict the consumption of food or drink in all outside areas of the premises to between the hours 11am to 11pm Monday to Friday, 10am to 11pm Saturday and 10am to 10pm on Sunday.

A further condition was that cans bottles / glass waste were not to be taken into the outside bin area after 11pm on weekdays and 10pm on Saturday or Sunday.

The fourth condition added to this licence was that a prominent notice was displayed on the wall above the flower bed requesting that customers kept noise to a minimum to respect the needs of local residents and requesting smokers to move to the upper area with an arrow indicating this.

The above conditions were considered proportionate in terms of the hours and representations made.

If issues arise as a result, residents and affected persons were able to request a review which would bring the licence back for consideration.

The parties were notified that they were able to appeal to the Magistrates' Court within 21 days of receipt of the notification of the decision.

34. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - BAT & BALL, 15 BAT & BALL LANE, WRECCLESHAM, FARNHAM, SURREY GU10 4SA (Agenda item 5.)

This item was withdrawn from the agenda.

**Chairman**