

To: All Members of the LICENSING SUB-COMMITTEE B
(Other Members for Information)

When calling please ask for:

Kimberly Soane, Democratic Services officer
Policy and Governance

E-mail: kimberly.soane@waverley.gov.uk

Direct line: 01483 523258

Calls may be recorded for training or monitoring

Date: 28 August 2020

Membership of the Licensing Sub-Committee B

Cllr Michael Goodridge
Cllr Roger Blishen

Cllr Anna James

Dear Councillors

A meeting of the LICENSING SUB-COMMITTEE B will be held as follows:

DATE: TUESDAY, 8 SEPTEMBER 2020

TIME: 10.00 AM

PLACE: ZOOMG

The Agenda for the meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

Most of our publications can be provided in alternative formats. For an audio version, large print, text only or a translated copy of this publication, please contact committees@waverley.gov.uk or call 01483 523351

NOTE FOR MEMBERS

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

AGENDA

1. **ELECTION OF CHAIRMAN**

To elect a Chairman for the Sub-Committee B meeting.

2. **MINUTES**

To agree the Minutes of the Meeting held on [] which had been laid on the table half an hour before the start of the meeting.

3. **LICENSING ACT 2003 -HEARING FOR A TEN - FARM COTTAGE, MALTHOUSE LANE, HAMBLEDON, GODALMING, SURREY, GU8 4HJ** (Pages 5 - 20)

The purpose of the report is to enable the Sub Committee to consider a Temporary Event Notice (TEN) where an objection has been made by the Police. Only the Police and Environmental Health may object to a TEN on the grounds that the TEN would undermine any of the four Licensing Objectives.

Recommendation

- It is recommended that the Sub-Committee considers the Temporary Event Notice, Environmental Health Objection and evidence of all parties involved at the hearing and then make a determination.
- Members must determine the application in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- The Sub-Committee should take such steps as it considers appropriate for the promotion of the licensing objectives.

4. **LICENSING ACT 2003 -HEARING FOR A TEN - GUILDFORD RUGBY FOOTBALL CLUB, GUILDFORD ROAD, FARNCOMBE, GODALMING, SURREY, GU7 3DH** (Pages 21 - 48)

The purpose of the report is to enable the Sub Committee to consider a Temporary Event Notice (TEN) where an objection has been made by Environmental Health. Only the Police and Environmental Health may object to a TEN on the grounds that the TEN would undermine any of the four Licensing Objectives..

Recommendation

- It is recommended that the Sub-Committee considers the Temporary Event Notice, Environmental Health Objection and evidence of all parties involved at the hearing and then make a determination.

- Members must determine the application in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- The Sub-Committee should take such steps as it considers appropriate for the promotion of the licensing objectives.

5. LEGAL ADVICE

To consider any legal advice relating to any applications in the agenda.

[Note: Reports relating to confidential or exempt information may be excluded from those copies of the agenda provided for inspection by members of the public if they relate to matters during which the meeting is likely not to be open to the public.]

**For further information or assistance, please telephone
Kimberly Soane, Democratic Services officer, on 01483 523258 or by
email at kimberly.soane@waverley.gov.uk**

This page is intentionally left blank

WAVERLEY BOROUGH COUNCIL

LICENSING SUB-COMMITTEE B

08 SEPTEMBER 2020

Title:

**LICENSING ACT 2003 - TEMPORARY EVENT NOTICE WITH
ENVIRONMENTAL HEALTH & SURREY POLICE OBJECTION
FARM COTTAGE, MALTHOUSE LANE, GODALMING, SURREY, GU8 4HJ
[Wards Affected: All Godalming Wards]**

Portfolio Holder: Cllr Palmer, Portfolio Holder for Operational & Enforcement

Head of Service: Richard Homewood Head of Environmental and Regulatory Services

Key decision: No

Access: Public

1. Purpose and summary

- 1.1 The purpose of the report is to enable the Sub Committee to consider a Temporary Event Notice (TEN) where two objections have been made by Environmental Health and Surrey Police. Only the Police and Environmental Health may object to a TEN on the grounds that the TEN would undermine any of the four Licensing Objectives..

2. Background

- 2.1. The Temporary Event Notice for the proposed event at the premises (Farmhouse Cottage Mathouse Lane Godalming) is shown at Annexe1.
- 2.2 In accordance with the legislation, copies of the application were sent to Surrey Police and Environmental Health acting as responsible authorities.

3. Temporary Event Notice requested

- 3.1 The 'premises user' under the TEN, seeks to have Regulated Entertainment from 1830 until 2030 hours on the 25 September 2020, for what is described as a live music event for 90 people.
- 3.2 Attached at Annexe 2 is a plan showing the area of the premises and surrounding properties

4. Representations received

- 4.1. The Licensing Act 2003 permits only the Police and Environmental Health to object

to a Temporary Event Notice; no other authority or person. Objections can be raised on any of the four Licensing Objectives.

4.2 The four Licensing Objectives of the Licensing Act 2003 are set out below.

1. Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. Protection of Children from Harm

4.3 Environmental Health have raised an objection to the Notice on the grounds of three of the Licensing Objectives, Prevention of Crime & Disorder, Public Safety and Prevention of Public Nuisance, and their representation is set out at Annexe 3 to this report.

4.4 Surrey Police have have raised an objection on the grounds of Public Safety and their representation is set out at Annexe 4 to this report.

4.5 Enquiries are being made with the applicant to clarify aspects of the request by the Licensing Manager and as set out within the representations submitted by Surrey Police .

5. Recommendation

- It is recommended that the Sub-Committee considers the Temporary Event Notice, Environmental Health & Surrey Police objections and evidence of all parties involved at the hearing and then make a determination.
- Members must determine the application in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- The Sub-Committee should take such steps as it considers appropriate for the promotion of the licensing objectives.

6. Reason for the recommendation

6.1 The general principle is that following submission of a Temporary Event Notice, in accordance with LA 2003 Act, the event will go ahead unless a relevant objection is received from the Surrey Police or Environmental Health. This is subject to the proviso that the applicant has complied with regulations in submitting the Temporary Event Notice.

6.2 Relevant representations are those which:

- Are about the effect of the Event on the promotion of the licensing objectives
- Are made by Surrey Police or Environmental Health as a Responsible Authority
- Have not been withdrawn

6.3 Licensing authorities are required to carry out licensing functions under the Licensing Act 2003 with a view to promoting the four licensing objectives of:-

- Prevention of crime and disorder;
- Public safety;
- Prevention of nuisance; and
- Protection of children from harm.

6.4 Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

6.5 The Licensing Sub-Committee must also consider Waverley Borough Council's Statement of Licensing Policy when deciding whether to permit or not to Temporary Event Notice. The terms of the Statement of Licensing Policy are highly persuasive, but not binding, on the Licensing Sub-Committee. The Licensing Sub-Committee may depart from the guidance contained in the Statement of Licensing Policy if it considers there are clear and convincing reasons to do so.

6.6 Where there is a conflict between the Licensing Act 2003 and the Statement of Licensing Policy, the Licensing Act 2003 must prevail.

6.7 Members are required to have regard to the Home Office Guidance issued under section 182 of the Licensing Act 2003 (April 2018 version) in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

6.8 The guidance will be available for reference purposes at the meeting.* Particular attention is drawn to:

- Temporary Event notices – paragraphs 7.1-7.40
- The Licensing Objectives – paragraphs 2.1–2.32
- Hearings - paragraphs 9.31 to 9.44

The guidance can be found at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

6.9 The Licensing Sub-Committee can attach a “weight” to any relevant representations, such factors that could influence the “weight” to be placed on a representation could include:

- Whether the representation can be clearly related to any one of the four licensing objectives;
- Whether the representation concerns matters over which the applicant is

- able to exercise control;
 - Whether the representation is based on “hearsay” evidence;
 - Whether the representation is supported by firm evidence;
 - Whether the Responsible Authority making the representation has attended the hearing in person.
- 6.10 The Sub-Committee must consider the Temporary Event Notice in conjunction with the comments from Environmental Health. The Sub-Committee is asked to hear the applicant and the Environmental Health & Police representations. The notice must be considered on its own merits. It is open to the Sub Committee to decide to:
- refuse to issue a counter notice (in effect to permit the temporary event as applied for), giving its reasons for this decision. The Sub-Committee may impose one or more of the conditions stated in the premises licence on the TEN in accordance with section 106A(2) of the Licensing Act 2003 (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives; or
 - having regard to the objection raised, to issue a Counter Notice to the premises user to prevent the event going ahead, if it is considered it is appropriate for the promotion of a licensing objective to do so. If this option is selected, the Sub-Committee will again have to give reasons for its decision.

7. Other Possible Outcomes

- 7.1 At any time before the hearing is held or dispensed with, Environmental Health or Surrey Police may, with the agreement of the premises user and other Relevant Authority, modify the Temporary Event Notice by making changes to it, acknowledged by the Council. If this happens, the objection notice will then be regarded as withdrawn and the effect will be that a modified Temporary Event Notice will then be effective
- 7.2 The Sub Committee has been convened and report prepared so that the matter may be considered within the timescale laid down in the legislation, if required. It may be that the premises user and Environmental Health and Surrey Police will resolve the issues raised before the meeting. In such a situation, the meeting would be cancelled as there will be no issue for consideration.

8. The Role of the Licensing Sub-Committee

- 8.1 Members should note that the Licensing Sub-Committee is meeting on this occasion solely to perform the role of licensing authority. The Sub-Committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council’s broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the icensing law, Guidance and the Council’s Statement of Licensing Policy.
- 8.3 As a quasi-judicial body the Licensing Sub-Committee is required to consider the

application on its merits. The Sub-Committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on material evidence, which tends logically to show the existence or non-existence of relevant facts, the occurrence of which would be relevant.

8.3 The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.

9. **Relationship to the Corporate Strategy and Service Plan**

9.1 Not applicable

10. **Implications of decision**

10.1 **Resource (Finance, procurement, staffing, IT)**

Members should be aware that Environmental and Regulatory Services does not have a direct budget provision for costs, should the applicant be successful in appealing to the Magistrates Court against a decision of the Council.

10.2 **Risk management**

Not applicable

10.3 **Legal**

An appeal against the determination of this application may be made to the Magistrates Court within 21 days of all parties being notified of the local authority's decision. The applicant or any party making representation may make an appeal.

10.4 **Equality, diversity and inclusion**

Decision makers must consider the Council's duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. There are no specific equality implications arising from this report. However, any activities arising from this report will need to be the subject of separate 'due regard' assessments.

Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the licensee and those making representations when making their decision. The Sub-Committee has a duty under section 17 of the Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the Waverley area.

10.5 **Climate emergency declaration**

There are no relevant matters to consider.

11. **Consultation and engagement**

11.1 Temporary Event submitted to the Police and Environmental Health in accordance with the Licensing Act 2003

12. **Other options considered**

12.1 Not applicable

13. **Governance journey**

13.1 Not applicable

Annexes:

Annexe 1 – An extract of the relevant pages from the Temporary Event Notice

Annexe 2 – A plan showing the area of the premises and surrounding properties

Annexe 3 – Copy of the representation from Environmental Health

Annexe 4 – Copy of the representation from Surrey Police

Background Papers

Background papers, as defined by Section 100D(5) of the Local Government Act 1972) are

The Licensing Act 2003

Guidance under 182 Licensing Act 2003

Waverley's Statement of Licensing Policy

.

CONTACT OFFICER:

Name: Paul Hughes

Position: Licensing & Environmental Enforcement Manager

Telephone: 0148 3523189

Email: paul.hughes@waverley.gov.uk

Agreed and signed off by:

Legal Services: date

Head of Finance: date

Strategic Director: date

Portfolio Holder: date



Apply for a Temporary Event Notice

Reference: FS241656402

Title: Mrs

First name: Jo

Surname: Perkins

Title: Mrs

Title : Miss

First name: Jo

Surname: Kirkland

If you have had more than one additional name, click add.:

Your date of birth: 2 .

Your place of birth: ~

Your national insurance number (format AA999999A): emises user's address:

Postcode	Select address	House number / name	Street	Town	County Postcode
GU8 4HJ	Farm Cottage, Malthouse Lane, Godalming	FARM COTTAGE	MALTHOUSE LANE	Godalming	Surrey GU8 4HJ

Daytime phone number: /

Email address: , Confirm

email address:

Alternative address:

Postcode	Select address	House number / name	Street	Town	County	Postcode

Are you a personal licence holder?: No

Have you already given a temporary event notice this calendar year?: No

Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?
: No

Does the premises/site related to the application have a postal address?: Yes Premises address:

Postcode	Select address	House number / name	Street	Town	County Postcode
gu8 4hj	Farm Cottage, Malthouse Lane, Godalming	FARM COTTAGE	MALTHOUSE LANE	Godalming Surrey	GU8 4HJ

Does the premises have a premises licence or club premises certificate?: Neither

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below: : Only for use in the large garden

Please describe the premises below:: A large garden behind the house away from the road with no overlooking properties

Please describe the nature of the event below:: a 1 hour live music event

Please confirm the licensable activities that you intend to carry on at the premises (you can select more than one):: The provision of regulated entertainment

Are you giving a late temporary event notice?: No

The earliest date your event can start is: 08/09/2020

Please enter event start date: 25/09/2020

Please enter event finish date: 25/09/2020

Number of days: 1

Event starts at:: 18:30

Event finishes at:: 20:30

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers:: 90

Start time: 19:00

End time: 20:30

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: No

Has any person with whom you are in business conducting licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? : No

Has any person with whom you are in business conducting licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: No

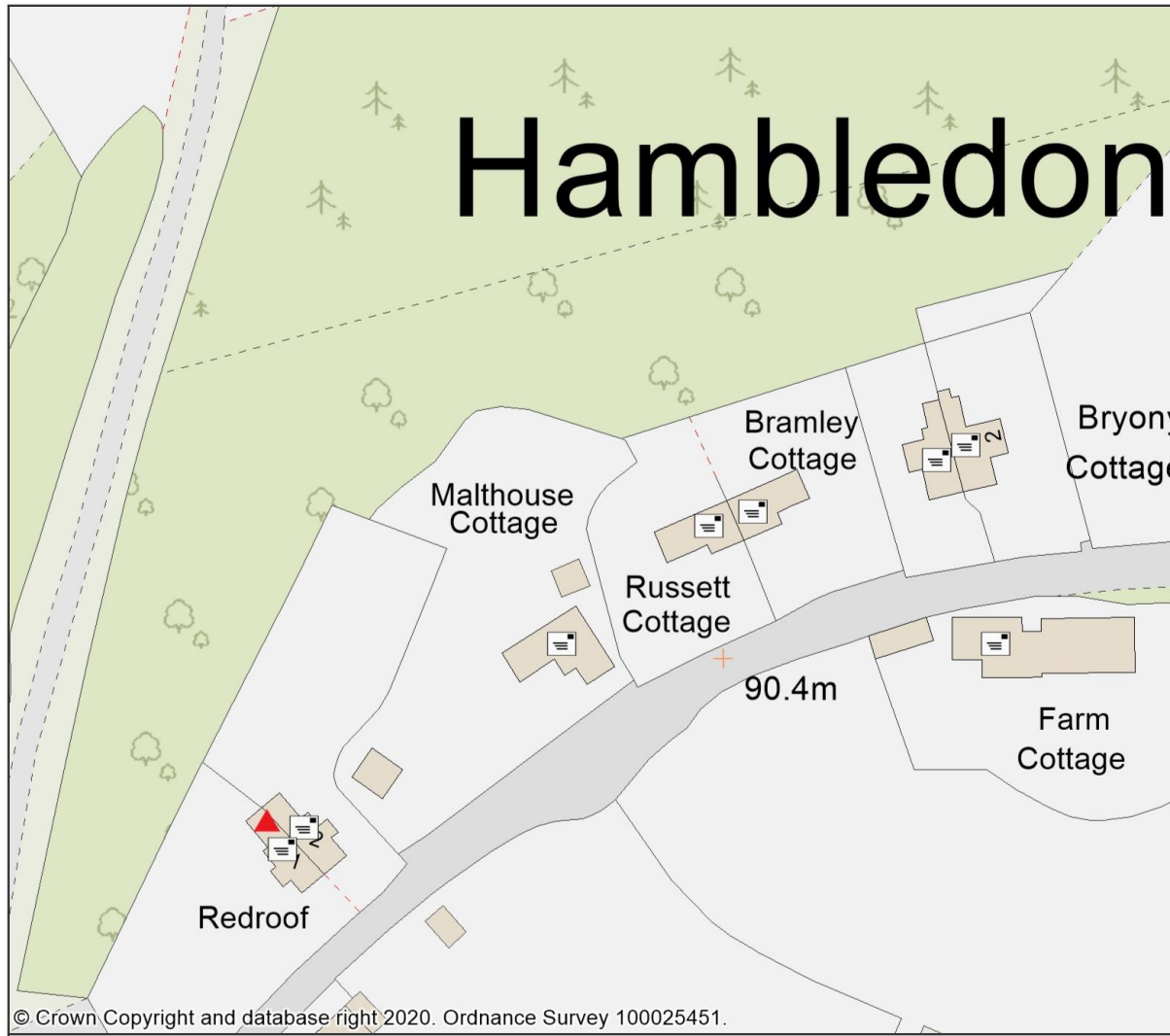
Please confirm:: I have read and understood the checklist

Declaration: The information contained in this form is correct to the best of my knowledge and belief.

Consent: I consent to the council's officers making any enquiries necessary to verify and process the information provided, including reference to relevant records.

Signature (please type your name):: JO PERKINS

Date:: 24/08/2020



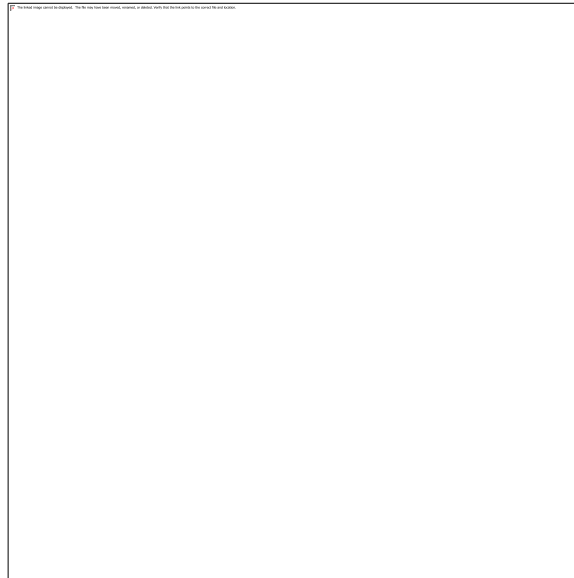
© Crown Copyright and database right 2020. Ordnance Survey 100025451.



Waverley Borough Council
The Burys
Godalming
Surrey
GU7 1HR
Telephone: 01483 523333
Fax No: 01483 426337

Farm Cottage

This page is intentionally left blank



Memorandum

Licensing Act 2003

REPRESENTATION FROM ENVIRONMENTAL HEALTH

DATE: 26TH AUGUST 2020

TO: (Licensing) Licensing Authority

FROM: Laura Annetts Environmental Health Officer

TELEPHONE NUMBER: 01483 523439

Location:

I make the following comments regarding the prevention of public nuisance:

Environmental Health is making a representation in relation to a proposed temporary event notice (TEN) in relation to Farm Cottage, Malthouse Lane, Hambledon, Godalming, Surrey, GU8 4HJ on 25th September 2020 in relation to the provision of regulated entertainment / live music.

The service objects to the TEN on the basis of:-

Crime and Disorder –the proposal appears to in breach of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 (SI 684) regarding numbers of proposed attendees, and in relation to any Health and Safety at work provisions as well as to deter possible attendees

Public Safety

No risk assessment or other information has been provided in relation to the proposed event to demonstrate compliance with the above legislation

There are concerns about measures in place to ensure the safety of attendees and capacity and no information provided to ensure the safety of performers

No / insufficient information has been provided to demonstrate the layout and physical environment in order to demonstrate suitable measures to ensure safety and safe capacity and mitigate risk

Public Nuisance

It is believed that without any or sufficient covid measures, this may result in nuisance and issues prejudicial to health – given the lack of information in relation to the type, nature and characteristics of the proposed site – account has been taken of the scale, location, and timing of the event which would breach statutory limits and guidance in relation to attendees and undermine the licensing objectives

Given that the pandemic and risk to health as a result of covid 19 continues, it is considered that there is unacceptable risk for those in attendance and the wider community on the basis of the information submitted.

Please do not hesitate to contact me if you require further information or would like to discuss the above comments.



Licensing Manager Paul Hughes
Licensing
Waverley Borough Council
The Burys
Godalming GU7 1HR

25/08/2020

Ref: - FS241656402 Farm Cottage, Malthouse Lane, Godalming, Surrey, GU8 4HJ

Dear Mr Hughes

Surrey Police, as a Responsible Authority under Section 13(4) (b) of the Licensing Act 2003, wish to make a formal objection against to the application Temporary Event Notice in respect of the premises named above on the grounds of Public Safety, under the Health Protection (CORONAVIRUS, RESTRICTIONS) (NO. 2) (ENGLAND) REGULATIONS 2020 SI 684 of 2020.

Gatherings of more than 30 people at a private residence.

The applicant requests to hold a live music event in a private garden for ninety (90) people on the 29th September, no details have been supplied as to Covid -19 controls.

I have telephoned the applicant today on her mobile and I was directed to call her on her home number. I have been unable to obtain a reply. I have emailed too and I have received a reply and I have made a follow up telephone call but we have not been able to make contact.

Yours faithfully

Lesley Sumner

Lesley Sumner 17277

Licensing Enforcement Officer

01483 638215

lesley.sumner1@surrey.pnn.police.uk

WAVERLEY BOROUGH COUNCIL

LICENSING SUB-COMMITTEE B

08 SEPTEMBER 2020

Title:

**LICENSING ACT 2003 - TEMPORARY EVENT NOTICE WITH
ENVIRONMENTAL HEALTH OBJECTION
GUILDFORD RUGBY FOOTBALL CLUB, GUILDFORD ROAD, FARNCOMBE,
GODALMING, SURREY, GU7 3DH
[Wards Affected: All Godalming & Farncombe Wards]**

Portfolio Holder: Cllr Palmer, Portfolio Holder for Operational & Enforcement

Head of Service: Richard Homewood Head of Environmental and Regulatory Services

Key decision: No
Access: Public

1. Purpose and summary

- 1.1 The purpose of the report is to enable the Sub Committee to consider a Temporary Event Notice (TEN) where an objection has been made by Environmental Health. Only the Police and Environmental Health may object to a TEN on the grounds that the TEN would undermine any of the four Licensing Objectives..

2. Background

- 2.1. The Temporary Event Notice for the proposed event at the premises (Guildford Rugby & Football Club) is shown at Annexe1. The Guildford Rugby & Football Club has a Premises Licence for the Clubhouse, attached at Annexe 2, which permits:

- Live & Recorded Music and Performance of dance
 - 1600 to 2230 Monday to Thursday
 - 1600 to 0030 Friday
 - 1000 to 0030 Saturday
 - 1000 to 2200 Sunday

- Sale of Alcohol
 - 1000 to 2300 Monday to Thursday
 - 1000 to 0100 Friday & Saturday
 - 1000 to 2230 Sunday

- Opening Hours
 - 0630 to 0000 Sunday to Thursday

0630 to 0130 Friday & Saturday

2.2 In accordance with the legislation, copies of the application were sent to Surrey Police and Environmental Health acting as responsible authorities.

3. Temporary Event Notice requested

3.1 The 'premises user' under the TEN, Mrs Emma White is the Senior Events Manager of Guildford Rugby Football Club, who seeks to have sale of alcohol in the outside area of the club house for consumption both on and off the premises, from 1800 until 0100 hours on the 26 September 2020, for an event described as a 40th birthday party..

3.2 Attached at Annexe 3 is a plan showing the area of the premises and surrounding properties

4. Representations received

4.1. The Licensing Act 2003 permits only the Police and Environmental Health to object to a Temporary Event Notice; no other authority or person. Objections can be raised on any of the four Licensing Objectives.

4.2 The four Licensing Objectives of the Licensing Act 2003 are set out below.

1. Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. Protection of Children from Harm

4.3 Environmental Health have raised an objection to the Notice on the grounds of three of the Licensing Objectives, Prevention of Crime & Disorder, Public Safety and Prevention of Public Nuisance, and their representation is set out at Annexe 4 to this report. The Police have not raised any objections and the last objection date was 26 August.

5. Recommendation

- It is recommended that the Sub-Committee considers the Temporary Event Notice, Environmental Health Objection and evidence of all parties involved at the hearing and then make a determination.
- Members must determine the application in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- The Sub-Committee should take such steps as it considers appropriate for the promotion of the licensing objectives.

6. Reason for the recommendation

- 6.1 The general principle is that following submission of a Temporary Event Notice, in accordance with LA 2003 Act, the event will go ahead unless a relevant objection is received from the Surrey Police or Environmental Health. This is subject to the proviso that the applicant has complied with regulations in submitting the Temporary Event Notice.
- 6.2 Relevant representations are those which:
- Are about the effect of the Event on the promotion of the licensing objectives
 - Are made by Surrey Police or Environmental Health as a Responsible Authority
 - Have not been withdrawn
- 6.3 Licensing authorities are required to carry out licensing functions under the Licensing Act 2003 with a view to promoting the four licensing objectives of:-
- Prevention of crime and disorder;
 - Public safety;
 - Prevention of nuisance; and
 - Protection of children from harm.
- 6.4 Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
- 6.5 The Licensing Sub-Committee must also consider Waverley Borough Council's Statement of Licensing Policy when deciding whether to permit or not to Temporary Event Notice. The terms of the Statement of Licensing Policy are highly persuasive, but not binding, on the Licensing Sub-Committee. The Licensing Sub-Committee may depart from the guidance contained in the Statement of Licensing Policy if it considers there are clear and convincing reasons to do so.
- 6.6 Where there is a conflict between the Licensing Act 2003 and the Statement of Licensing Policy, the Licensing Act 2003 must prevail.
- 6.7 Members are required to have regard to the Home Office Guidance issued under section 182 of the Licensing Act 2003 (April 2018 version) in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.
- 6.8 The guidance will be available for reference purposes at the meeting.* Particular attention is drawn to:
- Temporary Event notices – paragraphs 7.1-7.40

- The Licensing Objectives – paragraphs 2.1–2.32
- Hearings - paragraphs 9.31 to 9.44

The guidance can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

6.9 The Licensing Sub-Committee can attach “weight” to any relevant representations, such factors that could influence the “weight” to be placed on a representation could include:

- Whether the representation can be clearly related to any one of the four licensing objectives;
- Whether the representation concerns matters over which the applicant is able to exercise control;
- Whether the representation is based on “hearsay” evidence;
- Whether the representation is supported by firm evidence;
- Whether the Responsible Authority making the representation has attended the hearing in person.

6.10 The Sub-Committee must consider the Temporary Event Notice in conjunction with the comments from Environmental Health. The Sub-Committee is asked to hear the applicant and the Environmental Health representation. The notice must be considered on its own merits. It is open to the Sub Committee to decide to:

- refuse to issue a counter notice (in effect to permit the temporary event as applied for), giving its reasons for this decision. The Sub-Committee may impose one or more of the conditions stated in the premises licence on the TEN in accordance with section 106A(2) of the Licensing Act 2003 (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives; or
- having regard to the objection raised, to issue a Counter to prevent the event going ahead, if it is considered it is appropriate for the promotion of a licensing objective to do so. If this option is selected, the Sub-Committee will again have to give reasons for its decision.

7. Other Possible Outcomes

7.1 At any time before the hearing is held or dispensed with, Environmental Health may, with the agreement of the premises user and the Police, modify the Temporary Event Notice by making changes to it, acknowledged by the Council. If this happens, the objection notice will then be regarded as withdrawn and the effect will be that a modified Temporary Event Notice will then be effective

7.2 The Sub Committee has been convened and report prepared so that the matter may be considered within the timescale laid down in the legislation, if required. It may be that the premises user and Environmental Health will resolve the issues raised before the meeting. In such a situation, the meeting would be cancelled as there will be no issue for consideration.

8. The Role of the Licensing Sub-Committee

8.1 Members should note that the Licensing Sub-Committee is meeting on this occasion solely to perform the role of licensing authority. The Sub-Committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon licensing law, Guidance and the Council's Statement of Licensing Policy.

8.3 As a quasi-judicial body the Licensing Sub-Committee is required to consider the application on its merits. The Sub-Committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on material evidence, which tends logically to show the existence or non-existence of relevant facts, the occurrence of which would be relevant.

8.3 The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.

9. Relationship to the Corporate Strategy and Service Plan

9.1 Not applicable

10. Implications of decision

10.1 **Resource (Finance, procurement, staffing, IT)**

Members should be aware that Environmental and Regulatory Services does not have a direct budget provision for costs, should the applicant be successful in appealing to the Magistrates Court against a decision of the Council.

10.2 **Risk management**

Not applicable

10.3 **Legal**

An appeal against the determination of this application may be made to the Magistrates Court .

10.4 **Equality, diversity and inclusion**

Decision makers must consider the Council's duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not

share that protected characteristic. There are no specific equality implications arising from this report. However, any activities arising from this report will need to be the subject of separate 'due regard' assessments.

The Sub-Committee has a duty under section 17 of the Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the Waverley area.

10.5 **Climate emergency declaration**

There are no relevant matters to consider.

11. **Consultation and engagement**

11.1 Temporary Event submitted to the Police and Environmental Health in accordance with the Licensing Act 2003

12. **Other options considered**

12.1 Not applicable

13. **Governance journey**

13.1 Not applicable

Annexes:

Annexe 1 – An extract of the relevant pages from the Temporary Event Notice

Annexe 2 – A copy of the Premises Licence

Annexe 3 – A plan showing the area of the premises and surrounding properties

Annexe 4 – Copy of the representation from Environmental Health

Background Papers

Background papers, as defined by Section 100D(5) of the Local Government Act 1972) are

The Licensing Act 2003

Guidance under 182 Licensing Act 2003

Waverley's Statement of Licensing Policy

.

CONTACT OFFICER:

Name: Paul Hughes

Position: Licensing & Environmental Enforcement Manager

Telephone: 0148 3523189

Email: paul.hughes@waverley.gov.uk

Agreed and signed off by:

Legal Services: date
Head of Finance: date
Strategic Director: date
Portfolio Holder: date

This page is intentionally left blank



Apply for a Temporary Event Notice

Reference: FS240720415

Title: Mrs**First name:** Emma**Surname:** White**Title:** Senior Events Manager**Title :** Miss**First name:** Emma**Surname:** Colley**If you have had more than one additional name, click add.:****Your date of birth:****Your place of birth:****Your national insurance number (format AA999999A):****Premises user's address:**

Postcode	Select address	House number / name	Street	Town	County	Postcode
GU73DH	Guildford And Godalming Rugby Football Club Ground, Guildford Road, Godalming	Broadwater Pavilion	Guildford Road	Godalming	Surrey	GU7 3DH

Daytime phone number:**Email address:** bookings@broadwaterpavilion.com**Confirm email address:** bookings@broadwaterpavilion.com**Alternative address:**

Postcode	Select address	House number / name	Street	Town	County	Postcode
----------	----------------	---------------------	--------	------	--------	----------

Postcode	Select address	House number / name	Street	Town	County	Postcode
	Broadwater Pavilion		Guildford Road	Godalming	Surrey	GU7 3DH

Are you a personal licence holder?: Yes

Have you already given a temporary event notice this calendar year?: Yes

Please state the number of temporary event notices (including the number of late temporary events notices, if any) you have given for events in that same calendar year: One to five

Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? : No

Licence number: LN/C

Issuing licence authority: Waverley

Date of issue: 28/08/2015

Any further relevant details:

Does the premises/site related to the application have a postal address?: Yes

Premises address:

Postcode	Select address	House number / name	Street	Town	County	Postcode
gu73dh	Guildford And Godalming Rugby Football Club Ground Guildford Rugby Football Club, Guildford Road, Godalming	Broadwater Pavilion	Guildford Road	Godalming	Surrey	GU7 3DH

Does the premises have a premises licence or club premises certificate?: Premises licence

Premises licence number:: 000005103

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below: : Outside area

Please describe the premises below:: Club house

Please describe the nature of the event below:: A 40th birthday for family

Please confirm the licensable activities that you intend to carry on at the premises (you can select more than one):: The sale by retail of alcohol

Please select whether the sale or supply of alcohol will be for consumption on or off the premises, or both: Both

Are you giving a late temporary event notice?: Yes

The earliest date your event can start is: 29/08/2020

Please enter event start date:: 26/09/2020

Please enter event finish date: 26/09/2020

Number of days: 1

Event starts at:: 18:00

Event finishes at:: 01:00

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers:: 40

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: Unsure

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: No

Has any person with whom you are in business conducting licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? : No

Has any person with whom you are in business conducting licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?: No

Please confirm:: I have read and understood the checklist

Declaration: The information contained in this form is correct to the best of my knowledge and belief.

Consent: I consent to the council's officers making any enquiries necessary to verify and process the information provided, including reference to relevant records.

Signature (please type your name):: emma white

Date:: 21/08/2020

Licensing Act 2003
 Premises Licence - Summary

Broadwater Pavilion Broadwater Park Guildford Road Farncombe Godalming Surrey GU7 3BU	Licence number:	LN/000005103	
	Valid from:	28th August 2015	
	Valid until:		
	Telephone:	01483 411833	
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
Provision of regulated entertainment:-			
Live Music, Recorded Music and Performance of dance	Monday - Thursday Friday Saturday Sunday	16:00 16:00 10:00 10:00	22:30 00:30 00:30 22:00
Sale by Retail of Alcohol	Monday - Thursday Friday and Saturday Sunday	10:00 10:00 10:00	23:00 01:00 22:30
Non-standard Timings:	Boxing Day, New Year's Eve and public holidays from 09:00-16:00. The premises are only open to members of the club and to those organisations hiring the facility for meetings or events, for example weddings, wakes or parties or for use by other community organisations, for example the theatre group or the jazz club.		

The opening hours of the premises: 06:30-00:00 Sunday to Thursday
06:30-01:30 Friday and Saturday

Where the licence authorises supplies of alcohol, whether this alcohol is to be consumed on and/ or off the premises: On and off the premises

Name & (registered) address of holder of premises licence: Broadwater Pavilion Ltd
Broadwater Pavilion
Broadwater Park
Guildford Road
Farncombe
Godalming
Surrey
GU7 3BU

Registered number of holder, for example company number, charity number (where applicable): 9074170

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Ms Emma Georgina Colley

Whether access to the premises by children is restricted or prohibited:

No children shall be allowed on site after 19:00 hours unless the event is youth orientated

Licensing Act 2003
Premises Licence - Detail

Broadwater Pavilion Broadwater Park Guildford Road Farncombe Godalming Surrey GU7 3BU	Licence number:	LN/000005103	
	Valid from:	28th August 2015	
	Valid until:		
	Telephone:	01483 411833	
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
Provision of regulated entertainment:- Live Music, Recorded Music and Performance of dance	Monday - Thursday Friday Saturday Sunday	16:00 16:00 10:00 10:00	22:30 00:30 00:30 22:00
Sale by Retail of Alcohol	Monday - Thursday Friday and Saturday Sunday	10:00 10:00 10:00	23:00 01:00 22:30
Non-standard Timings:	Boxing Day, New Year's Eve and public holidays from 09:00-16:00. The premises are only open to members of the club and to those organisations hiring the facility for meetings or events, for example weddings, wakes or parties or for use by other community organisations, for example the theatre group or the jazz club.		

The opening hours of the premises: 06:30-00:00 Sunday to Thursday
06:30-01:30 Friday and Saturday

Where the licence authorises supplies of alcohol, whether this alcohol is to be consumed on and/ or off the premises: On and off the premises

Name & (registered) address of holder of premises licence: Broadwater Pavilion Ltd
Broadwater Pavilion
Broadwater Park
Guildford Road
Farncombe
Godalming
Surrey
GU7 3BU

Registered number of holder, for example company number, charity number (where applicable): 9074170

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Ms Emma Georgina Colley

Whether access to the premises by children is restricted or prohibited:

No children shall be allowed on site after 19:00 hours unless the event is youth orientated

Annexe 1 – Mandatory Conditions

Alcohol

No supply of alcohol may be made under the premises licence:

- At a time when there is no designated premises supervisor in respect of the premises licence.
- At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

6. For the purposes of the condition set out in paragraph 5—

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
- (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(b).

7. Where the permitted price given by Paragraph (b) of paragraph 6 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 8. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 6 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annexe 2 – Conditions consistent with the operating schedule

Live Music	Monday	16:00 hours to 22:30 hours
	Tuesday	16:00 hours to 22:30 hours
	Wednesday	16:00 hours to 22:30 hours
	Thursday	16:00 hours to 22:30 hours
	Friday	16:00 hours to 00:30 hours
	Saturday	10:00 hours to 00:30 hours
	Sunday	10:00 hours to 22:00 hours

Further Detail

An occasional activity but could be on any day of the week and could be a band for a wedding or party or a local jazz club.
The music is likely to be amplified.

Non-Standard Timing

N/A

Location of activity : Indoors

Recorded Music	Monday	16:00 hours to 22:30 hours
	Tuesday	16:00 hours to 22:30 hours
	Wednesday	16:00 hours to 22:30 hours
	Thursday	16:00 hours to 22:30 hours
	Friday	16:00 hours to 00:30 hours
	Saturday	10:00 hours to 00:30 hours
	Sunday	10:00 hours to 22:00 hours

Further Detail

An occasional activity but could be on any day of the week and could be a band for a wedding or party.

Non-Standard Timing

N/A

Location of activity : Indoors

Performance of dance	Monday	16:00 hours to 22:30 hours
	Tuesday	16:00 hours to 22:30 hours
	Wednesday	16:00 hours to 22:30 hours
	Thursday	16:00 hours to 22:30 hours
	Friday	16:00 hours to 00:30 hours
	Saturday	10:00 hours to 00:30 hours
	Sunday	10:00 hours to 22:00 hours

Further Detail

A very occasional activity - probably less than 10 times per annum.

Non-Standard Timing

N/A

Location of activity : Indoors

Alcohol BOTH ON/OFF premises	Monday	10:00 hours to 23:00 hours
	Tuesday	10:00 hours to 23:00 hours
	Wednesday	10:00 hours to 23:00 hours
	Thursday	10:00 hours to 23:00 hours
	Friday	10:00 hours to 01:00 hours
	Saturday	10:00 hours to 01:00 hours
	Sunday	10:00 hours to 22:30 hours

Further Detail

The premises are only open to members of the club and to those organisations hiring the facility for meetings or events, for example weddings, wakes or parties or for use by other community organisations, for example the theatre group or the jazz club.
The premises are open for less hours each week in the summer (outside the rugby season).

Non-Standard Timing

Boxing Day, New Year's Eve and public holidays from 09:00-16:00.

Sale of alcohol to be for consumption : On and off the premises

Designated Premises Supervisor

Name: Ms Emma Georgina Colley

Address: 5 Holly Lane
Godalming
Surrey
GU7 2LP

Personal Licence Number (If known): LN/000003048

Issuing Licence authority (If known): Waverley Borough Council

Opening Hours	Monday	06:30 hours to 00:00 hours
	Tuesday	06:30 hours to 00:00 hours
	Wednesday	06:30 hours to 00:00 hours
	Thursday	06:30 hours to 00:00 hours
	Friday	06:30 hours to 01:30 hours
	Saturday	06:30 hours to 01:30 hours
	Sunday	06:30 hours to 00:00 hours

Further Detail

The premises are only open to members of the club and to those organisations hiring the facility for meetings or events, for example weddings, wakes or parties or for use by other community organisations, for example the theatre group or the jazz club.
The premises are open for less hours each week in the summer (outside the rugby season).

Non-Standard Timing

N/A

Any adult entertainment or services, activities, other entertainments or matters ancillary to the use of premises that may give rise to concern in respect of children:-

None.

ELEMENTS OF OPERATING SCHEDULE TO ADDRESS LICENSING OBJECTIVES:

a) General - all four licensing objectives (b,c,d,e)

The primary purpose of the premises is as a sports club house for the use of members of Guildford Rugby Club and the Guildford and Godalming Croquet Club.

Other sporting activities have taken place in the past, such as cricket and bowls and there may be others in the future.

All are sections of Broadwater Sports Club - a CASC.

The Club runs mini and youth rugby teams and has adopted the Rugby Football Union (RFU) Child Protection Policy.

DBS checks are performed on adults in charge of children.

The Premises Licence Holder shall have an appointed Child Welfare Officer.

There are no vending or gaming machines on the premises.

In order to generate funds for the primary purpose of the CASC, the premises shall be used to host private functions, such as weddings and wakes and for the use of other community groups and organisations, for example the Godalming Theatre Group and the Guildford Jazz Club.

Broadwater Pavilion is the trading subsidiary of the CASC and is controlled by Directors of the CASC who are elected in accordance with the constitution.

The Directors have appointed a Premises Supervisor, responsible to the Operations Director to control all aspects relating to the sale of alcohol and the licence.

Under normal circumstances, the Duty Manager shall also have a personal licence.

b) The prevention of crime and disorder

The Club shall only be open to club members, bona fide guests and organisations and individuals hiring the facilities.

Staff shall be trained on the "conditions of our licence", "the sale of alcohol", "recognition of drugs" and "the prevention of violence".

All staff who work behind the bar shall be trained, with the training recorded and updated when necessary.

The club house shall be alarmed and equipped with outside security lighting.

A "no drugs" policy and a "Challenge 21" policy shall be in operation and staff shall be trained in accepted forms of ID.

Events shall be risk assessed and registered door staff shall be employed if necessary.

The tills shall be harvested during service and the money shall be placed in the safe.

Keys to the premises shall be held by a limited number of registered key holders.

The Club shall adopt a zero tolerance policy on drugs.

c) Public Safety

All events shall be risk assessed and the findings implemented and recorded.

Toughened glasses shall be supplied where possible.

Only plastic glasses shall be allowed outside the premises and no bottles.

Tables shall be kept clear of empty glasses and bottles on a regular basis.

All fire exits shall be equipped with emergency lighting.

The maximum capacity of the club house is known and shall never be exceeded.

Appropriate numbers of door staff shall be provided if necessary.

An adequate number of bins shall be provided for litter and signs shall be in place requesting their use.

A suitable first aid kit shall be on site.

An accident log shall be kept on site.

d) The prevention of public nuisance

Adequate parking shall be provided within the grounds of the club house for any events.

Local taxis numbers shall be available to members and guests.

All events shall be risk assessed and the findings implemented and recorded.

Notices shall be displayed requesting members to leave the club quietly.

All windows and doors shall remain closed when live or recorded music is in operation.

Live and recorded music shall cease half an hour before the licensed hour for the supply of alcohol.

Any complaints shall be dealt with, acted on and recorded.

Adequate waste bins shall be provided and emptied on a regular basis.

e) The protection of children from harm

All events shall be risk assessed and the findings implemented and recorded.

During any evening events, under 18's shall not be encouraged to attend unless the event is youth orientated.

Any adult placed in charge of any minors shall be DBS checked.

The RFU Child Protection Policy shall be adopted in respect of the mini and youth rugby teams.

No vending or gaming machines shall be present on the premises.

No children shall be allowed on site after 19:00 hours unless the event is youth orientated.

All coaches shall be DBS checked.

Minors shall be accompanied by a responsible adult whilst on site.

Bar football shall be provided in the tea room to encourage children to this area.

A child protection policy shall be in operation.

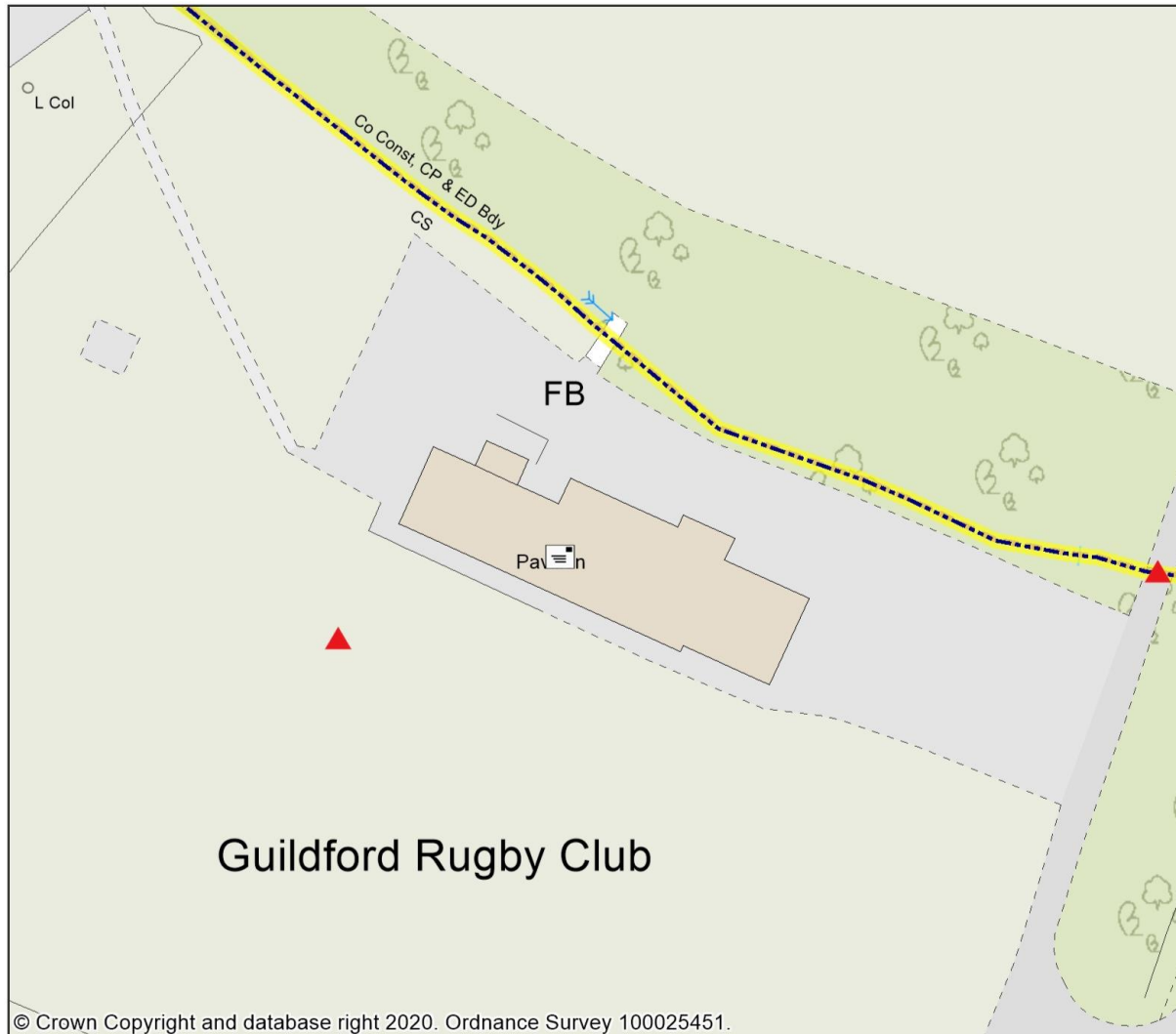
The premises shall operate a "Challenge 21" policy and shall only accept passport, photo driving licence or ID cards bearing the PASS hologram as forms of identification.

Annexe 3 – Conditions attached after a hearing by the Licensing Authority

N/A

Annexe 4 – Plans

Attached



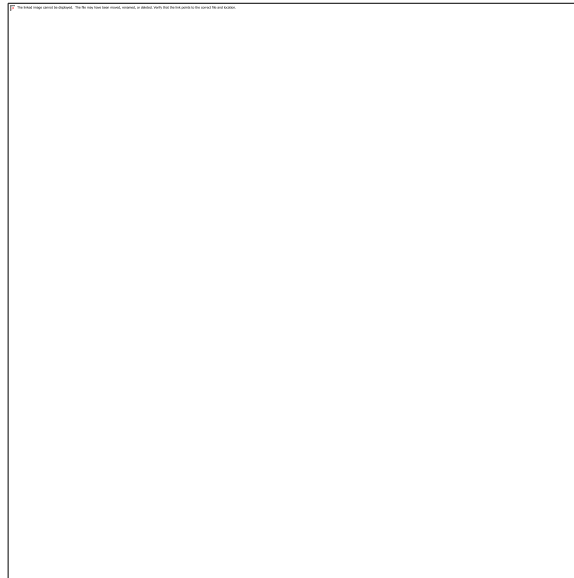
© Crown Copyright and database right 2020. Ordnance Survey 100025451.



Waverley Borough Council
The Burys
Godalming
Surrey
GU7 1HR
Telephone: 01483 523333
Fax No: 01483 426337

Guildrod Rugby Club

This page is intentionally left blank



Memorandum

Licensing Act 2003

REPRESENTATION FROM ENVIRONMENTAL HEALTH

DATE: 26TH AUGUST 2020

TO: Waverley Borough Council Licensing Authority

FROM: Laura Annetts Senior Environmental Health Officer

TELEPHONE NUMBER: 01483 523439

Location: Guildford Rugby Football Club, Guildford Road, Farncombe, Godalming, Surrey, GU7 3DH.

I make the following comments regarding the prevention of public nuisance:

Environmental Health is making a representation in relation to a proposed temporary event notice (TEN) in relation to a 40th birthday on 26/9/20 between the hours of 6pm and 1am in relation to the provision of sale of alcohol by retail.

The service objects to the TEN on the basis of the application and risk assessment provided which appears generic and not event specific.

Crime and Disorder

The proposal appears to be in breach of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 (SI 684) regarding numbers of proposed attendees, and in relation to adequate provisions in line with Health and Safety at work as well as to deter possible attendees

Public Safety

No event specific risk assessment has been provided in relation to the proposed event to demonstrate compliance with the above legislation (a generic document has been received to date)

There are concerns about measures in place to ensure the safety of attendees and capacity and no information provided to ensure the safety of those employed at the event

No / insufficient information has been provided to demonstrate the layout and physical environment in order to demonstrate suitable measures to ensure safety and safe capacity and mitigate risk – and there is a suggestion in relation to inclement weather that a marquee will be brought by an attendee – and concerns about the ability to social distance regarding outdoor seating arrangements proposed and management / mitigation of risk.

It is noted that current guidance suggests that celebratory events (capacity) should not take place in large gatherings save in relation to specified events such as wedding celebrations and which is capped to recommend a reduced number of attendees than that proposed. In addition, that other guidance in relation to pubs, restaurants should be followed in terms of seating arrangements and groupings both indoors and outside (currently expected to be a mix of six / two households) and in line with social distancing requirements / guidance on meeting others outside the home. I note that this proposed event is for 40 people and the suggested hours are until 1am – which includes the hours of darkness.

Public Nuisance

It is believed that without sufficient covid measures, this may result in nuisance and issues prejudicial to health – given the lack of information in relation to the type, nature and characteristics of the proposed site and event – account has been taken of the scale, location, and timing of the event which raises issues in relation to statutory limits and guidance / in relation to attendees and those working at the site and which serve to undermine the licensing objectives

Given that the pandemic and risk to health as a result of covid 19 continues, it is considered that there remains unacceptable risk for those in attendance and the wider community on the basis of the information submitted.

Please do not hesitate to contact me if you require further information or would like to discuss the above comments.

This page is intentionally left blank