

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE B - 15 OCTOBER 2020

SUBMITTED TO THE COUNCIL MEETING - <DATE>

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

**Present**

Cllr Michael Goodridge  
Cllr Roger Blishen

Cllr Anna James

25. ELECTION OF CHAIRMAN (Agenda item 1.)

Councillor Michael Goodridge was elected as Chairman for the meeting.

26. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE-  
FARNHAM CASTLE, CASTLE STREET, FARNHAM, SURREY, GU9 0AG.  
(Agenda item 2.)

The Committee received an application for a new Premises Licence for Farnham Castle, Castle Street, Farnham, GU9 0AG, where eight objections had been received.

One representative was present to outline the proposals. There were 3 neighbours of the castle present to make representation of objections. One member of Farnham Town Council who was also a ward councillor was also present to make objections to the proposal. Their concerns were around noise, their privacy and safety.

The Licensing Officer explained that Farnham Castle currently held a licence to play live or recorded music and to sell alcohol until 1am. They wished to increase this by one hour until 2pm.

The applicant confirmed he was also looking to have an earlier start on the sale of alcohol to supply wedding guests. He was looking to move the time from 12 noon to 10am and he wished to be able to serve food until 2am.

Concern was raised by the objectors that bottles were thrown into a neighbouring garden and that people at events at the castle sat on a wall overlooking neighbouring gardens and posed a safety risk.

There was a discussion around the wording of condition 4 suggested by Environmental Health. There was concern that it could allow events with amplified speech in the rose garden and keep to continue until 2am.

The Committee sought to clarify that were permission to be granted, the previous License would be surrendered. It was agreed that it would be.

The Committee clarified that fireworks were outside of the scope of the Committee to regulate. It was noted that Environmental Health had put in a condition which the castle were prepared to accept to limit events with fireworks to 18 times a year, lasting no more than 6 minutes and using low impact fireworks.

Following the conclusion of questions the Sub-Committee withdrew at 11.20 to consider the application. The Sub-Committee was reconvened at 12.21.

The Sub-Committee agreed to the application subject to the following conditions which had been agreed to between the applicant and Environmental Health:

- Noise from the premises would not unreasonably disturb other people
- If the Council received justified complaints about noise that could not otherwise be resolved, a noise limiting device would be installed at the premises and maintained in such a manner as to control all sources of amplified music and speech at the premises. The device would be used at all times during the entertainment, set at a level agreed in writing with the Council and sealed in a manner which was tamper proof.
- No music or speech would be replayed via external speakers other than for events detailed in Condition 4.
- There would be no more than 12 external events per year involving amplified speech and music. The 12 external events / activities involving amplified speech and music would finish by 22.00 hours, other than on 3 of the 12 occasions a year when they shall finish at 23.00 hours. There would be no more than 2 of these external events in any 4 week period, unless otherwise agreed in writing with the Licensing Authority.
- Prominent, clear and legible notices would be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- There would be no more than 18 events involving fireworks a year, and fireworks must be low impact (low noise) fireworks. Firework displays would finish by 22.00 hours and last no more than 6 minutes. Otherwise, except for the Heritage Open Day held once a year, no explosives, pyrotechnics of a similar nature, which could cause disturbance in surrounding areas, shall be used without first obtaining written consent from the Licensing Authority.
- The DPS or a nominated representative would receive and respond to complaints of noise and anti-social activities throughout the duration of all entertainment and during the time that patrons were leaving the premises. The applicant would provide the Duty Manager's phone number to neighbours and the Duty Manager would be contactable at all times the premises was open.
- Staff would be given adequate training to ensure they kept noise levels to a minimum when leaving the premises.
- The DPS or nominated representative would take reasonable measures to make sure noise levels were checked / monitored outside nearby dwellings during external entertainment involving amplified music or speech detailed in condition 4, as well as at the request of the Licensing Authority in the event of justified complaints. If, as a result of this check / monitoring, it was

considered that noise levels were excessive, immediate action would be taken to reduce the volume of the entertainment to suitable levels, particularly the low frequency bass noise . After 23.00 hours the licensee or nominated representative would aim to ensure noise from entertainment was not audible outside any dwelling in the vicinity.

- In order to minimise anti-social activities in the vicinity of the castle wall by the Great Lawn staff would supervise the area when it was in use.

The Sub-Committee noted that during the course of the meeting the applicant had agreed to reducing the closing time from 2am to 1am.

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

27. LEGAL ADVICE (Agenda item 3.)

**The meeting commenced at 10.00 am and concluded at 12.28 pm**

**Chairman**