

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE A - 30 MARCH 2015

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE  
16 JULY 2015

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

**Present**

Cllr Simon Inchbald  
Cllr Chris Storey

Cllr Brett Vorley

1. ELECTION OF CHAIRMAN (Agenda item 1.)

Cllr Simon Inchbald was elected Chairman for this meeting of Sub-Committee B.

2. DISCLOSURE OF INTERESTS (Agenda item 2.)

There were no interests declared.

**PART I - RECOMMENDATIONS TO THE COMMITTEE**

There were no matters falling within this category.

**PART II - MATTERS OF REPORT**

Background Papers

The background papers relating to the following report items in Part II are as specified in the agenda for the Committee.

3. LICENSING ACT 2003 - APPLICATION FOR VARIATION TO AN EXISTING PREMISES LICENCE - FRENHAM POND HOTEL, BACON LANE, CHURT, FARNHAM SURREY, GU10 2QD (Agenda item 3.)

The Applicant, their Counsel and Instructing Solicitor attended the meeting. The Applicant's Counsel advised that some complaints regarding planning constraints, disturbance to wildlife and financial/property issues were not covered by the Licensing Act and therefore could not be taken into consideration.

The Democratic Services Manager introduced the report and explained that this was an application to vary the original licence to which 18 valid representations had been received. Environmental Health had made a representation which had resulted in an amendment to the application.

Counsel to the applicant then outlined the work that had been undertaken to modernise and increase facilities at the Hotel, including groundwork to level an area of the Hotel grounds in order to accommodate a marquee for wedding functions.

The marquee would have acoustic properties as far as possible and speakers relaying music would be directed away from the Hotel. External noise would be monitored and only allowed up until 10pm. The Hotel anticipated that events in the marquee would only take place between May-September and be limited to 2 per month.

Following questions from the Sub-Committee the Applicant said that he had not received any formal complaints from local residents in 23 years. He had spoken in passing to a local resident who had made a passing comment about noise nuisance from fireworks, but had made no formal complaint. For safety reasons a double rope had been erected around the pond and staff would be on duty outside when events were taking place in the marquee.

The objectors present then made their representations. The Chairman advised the objectors that the concerns raised in the agenda papers had been noted by the Sub-Committee and asked whether there were any further issues or amplification they wished to make. Their main concern was regarding public nuisance and how noise could be regulated. Local residents said that they had been affected by noise from music and patrons leaving the premises on numerous occasions in the past and were not confident that the Hotel would be able to regulate noise, especially with staff who may be young and inexperienced. Another issue raised was non-communication with local residents; the Hotel had not informed their neighbours of their intention to make improvements, replace a large hedge with a wall nor that they had made an amendment to their application prior to the meeting. There was a litter problem with discarded rubbish along the lane and the front of neighbours property and significant noise and safety problem when guests left the Hotel late at night down a dark, narrow lane.

The Council's Solicitor advised that issues raised by the objectors had not been corroborated by complaints to the Police. Incidents that had taken place in the past was not evidence of what might occur in the future.

Counsel to the Applicant said that to allay the concerns of local residents the Applicant was prepared to accept Conditions to the licence regarding, among other things, maximum number of guests allowed at a function and the employment of SIA registered staff to contain guests when leaving. In the main the Applicant was receptive to Conditions being added to the licence that would help to allay residents' concerns.

The Sub-Committee then withdrew at 11.16 am.

Following the Sub-Committee's deliberation the meeting resumed at 12.50 pm. The Council's Solicitor had been asked to advise the Sub-Committee during their deliberation on the wording of their decision.

The Sub-Committee

RESOLVED that on the balance of probabilities and the evidence before them the application be granted subject to the Conditions set out below, which were to prevent public nuisance. The Sub-Committee advised that should there be any cause for concern in the future, legislation

allowed 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.

1. All windows and doors to be kept closed after 22.00 hours during regulated entertainment events except for access and egress;
2. Notices to be prominently displayed asking guests to respect neighbours and leave the premises quietly;
3. Notices to be prominently displayed giving a contact telephone number of a member of staff in the event of an emergency/complaint;
4. At least 1 personal licence holder to be on duty on the premises at every event;
5. Events in the marquee are limited to 2 per calendar month, and limited to May to September;
6. No fireworks or Chinese lanterns allowed at any time;
7. On the morning following every event staff will litter-pick the grounds of the premises and immediate surrounding area;
8. Staff to patrol the grounds of the premises to ensure guests do not create a noise nuisance during events;
9. No glasses or opened bottles to be taken off the premises;
10. At marquee events exceeding 150 persons, two SIA registered security staff are to be employed between 21.30 and 23.00 hours;
11. ~~On any day, no more than one function running after 7pm to be held.~~

Amended Condition No.11 – agreed at the meeting with the Sub-Committee and the Applicant::

No more that 200 persons in attendance at non-restaurant functions on the hotel premises at any one time.

12. A rolling event notice to be posted on the Hotel's website so that local residents can be informed when events are about to take place, such notice to provide a contact telephone number of a member of staff in the event of an emergency/complaint;
13. Quarterly meetings to take place between Hotel management and local residents to enable discussion on issues arising, meetings to be arranged by the Hotel and advised to local residents;
14. All live/recorded music in the marquee to end by 22.00 hours .
15. Sale of alcohol in the marquee to end by 22.30 hours.

The Sub-Committee had considered the views of the objectors and the objectors' fears that public nuisance problems could arise. The Sub-Committee believed that the amended application, the Conditions agreed by the applicant with Environmental Health, the Conditions offered by the applicant at the hearing and those imposed by the Sub-Committee adequately addressed those concerns. They were designed to minimise the impact of the licence variation. The conditions also addressed the objections received relating to the other licensing objectives.

Licensing Sub-Committee A 4  
30.03.15

**The meeting commenced at 10.00 am and concluded at 12.55 pm**

**Chairman**