

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE A - 17 APRIL 2023

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING – 5
JUNE 2023

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

Present

Cllr Jerome Davidson

Cllr Patricia Ellis

Apologies

Cllr John Ward

72. ELECTION OF CHAIRMAN (Agenda item 1.)

Cllr Jerome Davidson was nominated and elected as Chair for the purpose of the meeting.

Cllr John Ward sent late apologies.

73. DISCLOSURE OF INTERESTS (Agenda item 2.)

There were no disclosure of interests for this meeting.

74. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE-
BREWERY AND TAPROOM, PIERREPOINT FARM, THE REEDS ROAD,
FRENHAM, FARNHAM, SURREY. GU10 3BS (Agenda item 3.)

The Committee **RESOLVED** to grant the premises licence for the Brewery & Taproom for the supply of alcohol at Pierrepont Farm for the hours set out in the application (section J and L of the application), subject to the addition of the following condition:

- that no licensable activities are to take place on the premises after 9.00pm daily other than in connection with a pre-booked and bona fide private function or event to which members of the public are not admitted.
- For each event relevant to this condition the Designated Premises License Holder shall agree with the person booking the event a written Transport Plan. The plan shall detail how those attending the event shall arrange their transport away from the premises; having regard to the need to minimise nuisance to any residents or generally outside the license premises; not to leave engines running when vehicles are parked; and not to obstruct the highway.
- For any event relevant to this condition for a period of at least 30 minutes prior to the end of the pre-booked event and until the last person (excluding staff) has departed from the wider area of Pierrepont Farm there shall be at least one member of staff situated near the junction of the private farm track and The Reeds Road to facilitate the delivery of the Transport Plan.

- For the purposes of this condition pre-booked shall mean arranged no less than 24 hours in advance of the event, and confirmed in writing.
- There shall be a log of all pre-booked events kept on the premises, and made available on request to an authorised officer of the Council. The log shall include the date of the booking, date of the event and name of the person making the booking.
- A copy of the relevant written Transport Plan shall be kept on the premises during the event relevant to this condition and for at least 30 days following an event, and made available on request to an authorised officer of the Council.
- So far as is reasonably practicable the Premises Licence Holder shall ensure that the event relevant to this condition is run in accordance with the relevant agreed Transport Plan.

Reasons

This was an application by Mr Bevan of Farnham Brewing Co. Ltd for a premises licence in respect of the premises known as Brewery & Taproom, Pierrepoint Farm, The Reeds Road, Frensham, Farnham, Surrey, GU10 3BS.

In reaching their decision to grant the application, the Sub-Committee considered both written and oral representations from the applicant and the written comments of both those objecting and supporting the application through the consultation process. The Sub-Committee also considered the verbal comments of those objectors who attended the Sub-Committee meeting. The Sub committee considered the matter on its merits and in accordance with the Council's statement of licensing policy. The Sub-Committee recognised that not all of the written comments related to matters which were relevant to the licensing objectives and only took into account those matters which were relevant to their considerations.

It was noted by the Sub-Committee that there had been a previous license for the premises which had been surrendered. That license had longer operating hours than that proposed in the application. The Sub-Committee noted that that the principle representations raised concerning the licensing objectives of the prevention of public safety and public nuisance (noise) were based on a combination of previous experience and a significant amount of conjecture as to the impact of the perceived operating approach of the applicants. The sub-committee noted that there had been no representations received from 'responsible authorities'. 'Although some of the representations alluded to concerns relating to parking and noise, the sub-committee noted that evidence provided related to the previous occupants and was in part beyond the direct control of the business concerned..

The Sub-Committee acknowledged the confirmation from the applicants that the area being licensed was restricted to the red lined area of the inside of the building known as the Tap Room and the Brewery. Although acknowledging that the license was for both on and off sales.

The Sub-Committee was mindful of the concerns expressed regarding the impact of the existing and proposed activities on the neighbours in the close proximity of the

premises. As well as the points raised in relation to the local residents rights to both private and family life and peaceful enjoyment of their property. The Sub-Committee recognised that this is not an absolute right and it was felt that sufficient consideration had been given to the proximity and the steps set out within the application's operating schedule were also sufficient in all the circumstances and reflected the licensable activities proposed. The Sub-Committee received a verbal offer from the applicant at the meeting of a condition related to the management of events ending after 9pm; this condition (with details added) has been adopted as a mechanism to ensure that the interference caused to neighbouring properties can be mitigated in relation to the issues raised from those departing the premises late at night. The Sub-Committee acknowledged that this would not necessarily mean that there will be absolutely no disturbance but that the disturbance would be managed and limited, and that this was a proportionate balance between the impact on residents and the ability of the business to trade.

The Sub-Committee reiterated that there are arrangements set out within the Licensing Act 2003 for reviewing premises whose operation does not promote the licensing objectives which represents a key protection for the community where problems occur after the grant of a licence.

In reaching the decision the sub-committee had regard to all the relevant considerations and considered that this decision was appropriate and proportionate.

75. LEGAL ADVICE (Agenda item 4.)

Legal advice was obtained during the Committees deliberations.

The meeting commenced at 10.00 am and concluded at 12.20 pm

Chairman