

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE A - 13 JULY 2023

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING -
<DATE>

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

Present

Cllr Maxine Gale
Cllr Jacquie Keen

Cllr John Robini

3. ELECTION OF CHAIRMAN (Agenda item 1.)

Cllr John Robini was elected as Chair for the purpose of this meeting.

4. DISCLOSURE OF INTERESTS (Agenda item 2.)

There were no declarations of interest submitted for this meeting

5. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - REEL FARNHAM, (GROUND, 1ST, 2ND & 3RD) COMMERCIAL UNIT, 8 OLD MARKET PLACE, FARNHAM, SURREY GU9 7SF (Agenda item 3.)

The Licensing panel convened in person on 13 July 2023 to determine an application for a new premises licence.

The Licensing panel carefully considered all the relevant information including

- Written and oral representations made by the parties
- The licensing act 2003 and the steps appropriate to promote the licensing objectives
- The guidance issued under section 182 of the Licensing Act 2003 (the statutory guidance)
- Waverley's statement of licensing policy
- The human rights act 1998

The Committee took into consideration the committee report, and application form which sought to licence the premises for the licensable activities

During the consultation process, six representations were received from interested persons which formed part of the committee report, and which were expanded upon during the course of the hearing. Withing the application a number of representations were made including elements not relevant to the licensing objectives. The representations received centred around perceived issues of crime and disorder and public nuisance.

It was noted by the committee that there had been no representations made by any of the responsible authorities.

The sub-committee heard in person from:

Mr Muhammad Faisal – Head of Operations at Reel.

Mr David Roberts of Knights Solicitors, Representing the applicant Reel.

Cllr George Hesse, Ward Councillor (objector on behalf of Farnham Town Council)

Cllr Andy Macleod, Farnham Councillor and Surrey CC (speaker)

Mr David Howell, Local Resident (objector)

The representations received were in relation to possible noise nuisance in the area and possible anti-social behaviour

The applicants advised that Reel was an established company with 15 existing cinemas and 3 others currently in development. It was emphasised that the average day's finish would be around 11.30pm with the 24 hour openings sought to allow flexibility for Premieres of films, private events, concerts and sporting events and showings linked to timings across the world and or premieres. It was reiterated the venue was not advertised as a drinking venue but alcohol was being sold as part of the viewing experience and would only be sold to ticketed patrons.

The sub-committee clarified a number of points with the applicant regarding timings of events, access to the premises and sale of alcohol. The Committee noted that the applicant was prepared to reduce the applied for hours regarding the same of alcohol to 1am from 2.30 am as set out within the application .

The sub-committee noted that a number of conditions had been agreed with the police outside of the committee and had been submitted and accepted by the applicants in support of their application .

The committee was pleased to hear of the arrangements in place to deal with the management of customers both entering and leaving the venue . It was also appreciated that this was a purpose built premises within a development with considered arrangements and relevant experience with regards to possible noise management issues raised by objectors, which did not appear to be based on evidence. It was further noted that the premises was positioned close to a car park area allowing / encouraging effective and appropriate dispersal of patrons. The Committee recognised the substantial and significant experience of the operator and clear presentation through their advocate which in their view addressed all possible concerns raised.

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

The sub-committee resolved to **GRANT** a premises licence as applied for with the addition of the updated agreed Police conditions offered (set out below) and on the basis of the applicant's reduction in the times for the on sale of alcohol to 1am, and otherwise as applied for.

1. A CCTV system shall be in operation at the premises covering all main entrances and exits to and from the premises.

2. CCTV recordings shall be kept for a period of 28 days and shall, upon request by Police or other responsible authority, be made available as soon as practicable subject to the provisions of Data Protection Legislation and the Guidance of the Information Commissioners Office in respect of CCTV as may from time to time have effect.
3. A Challenge 25 Scheme shall be operated at the premises.
4. All persons who appear to be under the age of 25 years shall be required to produce proof of age by way of the following:
 - Passport
 - Photo Driving Licence
 - A proof of age card such as the PASS card from the national Proof of Age Standard Scheme
 - Ministry of Defence Identity Cards
 - Or such other form of Identification (including electronic identification) as may be agreed with the Licensing Authority in writing.
5. A refusals book/log (either in electronic or hard copy) will be kept recording any challenges and refused sales to anyone who cannot comply with the requirements of the Challenge 25 policy. The book/log shall be made available upon request by Police or other responsible authorities.
6. All staff involved in the sale of alcohol will be trained in relation to the age verification policy.

6. LEGAL ADVICE (Agenda item 4.)

The meeting commenced at 10.00 am and concluded at 11.50 am

Chairman