

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE A - 14 MAY 2024

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING – 5
JUNE 2024

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

Present

Cllr Jacquie Keen
Cllr Michael Goodridge

Cllr John Robini (Substitute)

Apologies

Cllr Maxine Gale

11. ELECTION OF CHAIRMAN (Agenda item 1.)

Cllr Jacquie Keen was elected as Chair for the purpose of this meeting. Proposed by Cllr Goodridge and seconded by John Robini.

12. DISCLOSURE OF INTERESTS (Agenda item 2.)

There were no disclosures submitted for this meeting.

13. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - LOUNGE, 69 HIGH STREET, GODALMING GU7 1AW (Agenda item 3.)

The Licensing Sub-Committee convened in person on 14 May 2024 to determine the application.

The Licensing Sub-Committee carefully considered all of the relevant information including:

- Written and oral representations made by the parties and interested persons
- 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 Borough Council's statement of licensing policy
- The Human Rights Act 1998

The Licensing Sub-Committee took into consideration the committee report, and the application form which outlined the proposed hours of operation.

During the consultation process, one representation was received from interested persons which formed part of the committee report. The representation received in objection centred around perceived issues of nuisance associated with the hours requested (the licensing objective of public nuisance) and the concern regarding possible 'vertical drinking' at the establishment.

During the hearing, the applicant agreed to reduce the hours for alcohol sales to last orders at 11.30pm on Monday to Saturday with 30 minutes drink up time and closing at midnight (00.00 hrs). In respect of Sundays, the applicant reduced the proposed hours to 11pm in relation to sale of alcohol and to close at 11.30pm

The applicant assured that there was a condition that there is waiter/waitress service, and that substantial food is available at all times. They further advised that generally there is no vertical drinking at Lounge diners.

The applicant also set out their further details of the proposed operation at the site and outlined the other businesses which form part of the operation elsewhere. The committee noted that the operating schedule allowed for waitress service and substantial food to be made available at all times when alcohol was available for sale which the committee felt allayed concerns raised by the interested person in relation to vertical drinking.

The Sub-Committee clarified the extent of the premises with regards to the block plan set out in annexe 2 of the agenda pack which appeared to show the pavement area as part of the premises. The members were assured this was not part of the licenced premises and was only highlighted to show that the applicant may apply for a street licence in the future to allow for the use of outside chairs and tables but this was not planned at present. The applicant agreed to amend the plan to reflect this.

The Sub-Committee considered the application as well as the representations received both in support and against the review. In reaching their decision, the Sub-Committee had regard to all the relevant evidence, information and submissions and the licensing objectives. The Sub-Committee then reached its decision in an appropriate and proportionate manner.

The Sub-Committee resolved that:

‘The application for a new premises licence should be GRANTED subject to a revised plan being submitted removing the highlighted pavement area within the application and the hours as amended as agreed in response to the objectors comments Monday to Saturday sales to 11.30pm and closing midnight with late night refreshment Monday to Sat to 11.30pm and Sunday hours to be last alcohol sales at 11pm and closing at 11.30pm

It was therefore agreed that the following times would be granted:

- Late Night Refreshment

Monday to Saturday 2300 to 2330

- Sale of Alcohol (On and Off the Premises)

Monday to Saturday 1000 to 2330

Sunday 1000 to 2300

- Opening Hours

Monday to Saturday	0800 to 0000
Sunday	0800 to 2330

Non-Standard Timings

New Year's Eve – from the end of permitted hours on New Year's Eve to the Start of Permitted hours on the following day.

14. LEGAL ADVICE (Agenda item 4.)

Legal advice was sought during deliberation.

The meeting commenced at 10.00 am and concluded at 10.43 am

Chairman