

WAVERLEY BOROUGH COUNCIL

LICENSING SUB-COMMITTEE B – 24 JANUARY 2019

Title:

**LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE –
BROWNS, 6 BANK BUILDINGS, 159 HIGH STREET, CRANLEIGH,
SURREY GU6 8BB.**

[Wards Affected: All Cranleigh Wards]

Summary and Purpose

1. The purpose of the report is to enable the Sub-Committee to consider an application from Louis Henry Harley Richard for a new premises licence for Browns, 6 Bank Buildings, 159 High Street, Cranleigh Surrey GU6 8BB, where 1 relevant representation has been received.

Background

2. An application has been received for a new premises licence for Browns, described as a small tea room with approximately 10 tables seating two.

In brief, the new application proposes that the licence will authorise the Sale of Alcohol for consumption on the premises only.

Activities Sought under this Licence Application

3. The applicant seeks to license the premises as shown below. An extract of the relevant pages from the application form is attached at Annexe 1. Also attached to this report at Annexe 2 is a plan showing the surrounding properties.

In summary, the applicant seeks the following licensable activities in the new licence. Please see the application at Annexe 1 for full details of the proposed licensable activities.

- Sale of Alcohol: (On the premises only)
1200 to 2200 Monday to Sunday

- Opening hours:
0800 to 2300 Monday to Sunday

Licensing Objectives

4. The four Licensing Objectives of the Licensing Act 2003 are set out below. Any representations for consideration must relate to one or more of these objectives, and representations must be from the responsible authorities under this legislation and/or any other persons.
 1. the prevention of crime and disorder
 2. public safety
 3. the prevention of public nuisance
 4. the protection of children from harm

Representations received

Responsible Authorities

5. There have been no relevant representations received from “Responsible Authorities”, the bodies that must be notified of applications under the legislation

Other Persons

6. Besides Responsible Authorities, “other persons” may make representations. There has been 1 relevant representation from “other persons”.

A copy of the representation is attached at Annexe 3.

The need for a hearing can be avoided only with the agreement of the licensing authority, the applicant and the people who made relevant representations.

What the Sub-Committee may do

7. The Sub-Committee, after hearing from the applicant and those making representations, must take one or more of the steps listed below (if any) as it considers appropriate for the promotion of the Licensing Objectives.

In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to

- The steps that are appropriate to promote the licensing objectives;
- The representations (including supporting information) presented by all the parties;
- The Home Office guidance; and
- Waverley’s statement of licensing policy

Reasons must be given by the Sub-Committee for any decision made, since there is an opportunity for any applicant or any objector to appeal to the Magistrates' Court against the Licensing Sub-Committee's decision, within 21 days.

8. Revised Guidance issued under Section 182 of the Licensing Act 2003, available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/702660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

The Guidance will be available for reference purposes at the meeting.* Particular attention is drawn to:

- Conditions – paragraphs 1.16-1.17 and 10.1 to 10.66
- The Licensing Objectives – paragraphs 2.1–2.31
- Hearings - paragraphs 9.31 to 9.44

Recommendation

The Sub-Committee is requested to consider the application for a premises licence on its merits.

Section 35(3) Licensing Act 2003 provides that the Sub-Committee, having regard to the relevant representations made, must take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives:

- To grant the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions;
- To exclude from the scope of the licence any of the licensable activities to which the application relates;
- To refuse to specify a person as the premises supervisor;
- To reject the application.

Background Papers

Application referred to above; representations referred to above.

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*Those without access to the Internet should contact Paul Hughes in order to access the Guidance