

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE B - 27 FEBRUARY 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 Michael Goodridge
Cllr Anna James

Cllr David Munro

Apologies

Cllr Jacquie Keen

40. ELECTION OF CHAIRMAN (Agenda item 1.)

Cllr Michael Goodridge was nominated by Cllr Anna James as Chair for the purpose of this hearing. This was agreed.

41. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE-
HUSKINS, 10 QUEENS STREET, GODALMING GU7 1BD (Agenda item 2.)

The Committee **RESOLVED** to grant the premises licence for Huskins/Waffles and stuff limited for the supply of alcohol (on sales) at 10 Queen Street, Godalming, GU7 1BD for the hours set out in the application, as amended during the course of the hearing as follows:-

Alcohol on sales

Monday to Saturday 11am to 10.45pm
Sunday 11am to 3.45pm

Opening hours

It was noted that the applicant proposed revised opening hours of 8am to 11pm (Monday to Saturday) and 8am to 4pm (Sunday)

And conditions that the (a) no rubbish including bottles shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours; and (b) notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

Reasons

This was an application by Waffles and stuff limited for a premises licence in respect of the premises known as Huskins, 10 Queen Street, Godalming GU7 1BD.

In reaching their decision to grant the application, the Sub-Committee considered both written and oral representations from the applicant and other persons. The Sub-committee considered the matter on its merits and in accordance with the Council's statement of licensing policy.

It was noted that the representation received raised concerned the licensing objective of the prevention of public nuisance (noise). The sub-committee noted that there had been no representations received from 'responsible authorities'.

The sub-committee was pleased at the applicants willingness to listen to the objector's comments and to address those by reducing the hours sought for the sale of alcohol with a view to addressing concerns raised.

The Committee noted that in light of the reduced hours, the application for late night refreshment (after 11pm) fell away.

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 (immediately upstairs). It was felt that it would be appropriate and proportionate to add conditions by way of measures to minimise the impact of refuse storage and disposal, in line with paragraph 8.5.9 of Waverley's statement of licensing policy. In addition, it was felt appropriate to require the establishment to put in place notices reminding patrons to leave the area quietly. The committee felt that these two additional conditions were appropriate in order to promote the licensing objective regarding public nuisance.

The Sub-Committee reiterated that there are arrangements set out within the Licensing Act 2003 for reviewing premises which represents a key protection for the community where problems associated with the licensing objectives occur after the grant of a licence where appropriate to promote the licensing objectives. In addition, that licensing authorities should not duplicate other statutory provisions.

The applicant was reminded that licensing and planning systems operate independently and that any decision on an application for premises licence does not relieve the premises of any requirements under planning law. Further that premises operating in breach of planning permission may be liable to prosecution under planning law.

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

42. LEGAL ADVICE (Agenda item 3.)

Legal advice was sought by the Committee whilst making their decisions.

The meeting commenced at 11.00 am and concluded at 11.50 am

Chairman