

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING SUB-COMMITTEE C - 21 JANUARY 2016

SUBMITTED TO THE LICENSING & REGULATORY COMMITTEE – 24 MARCH 2016

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

Present

Cllr Patricia Ellis
Cllr Mike Hodge

Cllr Carole King

Apologies

Cllr Maurice Byham

5. ELECTION OF CHAIRMAN (Agenda item 1.)

Cllr Patricia Ellis was appointed Chairman for this meeting of Licensing Sub-Committee C.

6. DISCLOSURE OF INTERESTS (Agenda item 2.)

There were no interests declared under this heading.

PART I - RECOMMENDATIONS TO THE COMMITTEE

There were no matters falling within this category.

PART II - MATTERS OF REPORT

Background Papers

The background papers relating to the following report items in Part II are as specified in the agenda for the Committee.

7. LICENSING ACT 2003 - TEMPORARY EVENT NOTICE WITH POLICE OBJECTION - PLOUGH INN, 74 WEST STREET, FARNHAM (Agenda item 3.)

The Licensing Manager introduced the report and advised that the applicant was not present at the meeting to respond to questions. Surrey Police, as the Responsible Authority, was represented by Rab Carnie, Police Licensing Officer.

Surrey Police then made their representation. Surrey Police were objecting to the application on the following grounds: Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm.

Surrey Police then gave details of three incidents that occurred in November 2015 that opposed the four Licensing Objectives.

The Sub-Committee asked questions of Surrey Police concerning the applicant's knowledge of the difference between fake and real ID, staff training and their perception of the applicant with regard to his role as a DPS.

Surrey Police were concerned over the applicant's lack of knowledge regarding fake IDs, the lack of training given to his staff and the 'laid-back' approach that he took to the running of the premises, especially his lack of attendance at Pub Watch meetings. Surrey Police had subsequently given the applicant a training pack regarding under-age drinking.

The Sub-Committee then WITHDREW at 10.20 am.

Following the Sub-Committee's deliberation the meeting RESUMED at 11.00 am. The Council's Solicitor had been asked to advise the Sub-Committee during their deliberation on the wording of their decision.

The Sub-Committee had carefully considered a Temporary Event Notice (TEN) given by the 'premises user' (Designated Premises Supervisor [DPS]) of The Plough where an objection had been made by Surrey Police on the grounds of all four of the licensing objectives.

The Sub-Committee heard uncontested evidence submitted by Surrey Police regarding incidences during November 2015 that conflicted with the Licensing Objectives relating to Crime & Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm.

The Sub-Committee considered that there was sufficient substantiated evidence submitted by Surrey Police to justify serving a Counter Notice to prevent the event from going ahead.

The reasons for this were:

The Sub-Committee considered that from the information submitted from Surrey Police regarding previous events at the premises, the DPS had failed to uphold the Licensing Objectives in all four areas and the DPS had not convinced the Sub-Committee that there was a willingness to uphold them in the future. With the background of the events outlined by Surrey Police (which had not been disputed by the applicant), and the nature of the planned event (which was likely to attract under-age people), the Sub-Committee did not have confidence in the applicant to manage the event and were satisfied all four Licensing Objectives would be undermined if the event took place.

The meeting commenced at 10.00 am and concluded at 11.04 am

Chairman