

Dorking Golf Club, Deepdene Avenue, Dorking, Surrey, RH5 4BX

Decision Notice: Application for a Premises Licence

Background

1. Dorking Golf Club is currently licensed under a club premises certificate MVDC 038/1. Dorking Golf Club Limited (**Applicant**) submitted an application for a new premise licence to replace their existing Club Premises Certificate (**Application**).
2. The Applicant wished to extend its hours to serve alcohol by half an hour on Sundays to 23.00 and Christmas Eve, New Years Eve and for the Captain's party until 01.00. The Applicant also requested authorisation for recorded music inside and outside the premises Monday to Thursday 07.30 to 00.00, Friday, Saturday, Christmas Eve, New Years Eve and Captain's Party 7.30 to 01.00 and Sundays 07.30 to 00.00. The existing Club Premises Certificate permitted recorded music indoors between 07.00 – 00.00. The Applicant also requested authorisation for live music inside and outside the premises during the following hours: Wednesday 19.00 to 00.00, Friday and Saturday 12:00 to 00.30, Sunday 12.00 to 00.00 and Christmas Eve, New Years Eve and for the Captain's Party 07.30 – until 01.00. The existing Club Premises Certificate did not currently permit live music.
3. As relevant representations in respect of the Application were received, a hearing was arranged to take place on 5th July 2016 at 10.00 in the Council Chamber to enable the Council's Licensing Sub-Committee, consisting of Councillor Charles Yarwood, Councillor Metin Huseyin and Councillor Peter Stanyard to determine the Application. The hearing was chaired by Councillor Peter Stanyard.

Attendance and Participation

4. The hearing was attended by:

On behalf of the Applicant	Mr Paul Lawson David Watson	Honorary Secretary of the Applicant Club Director of the Applicant Club
On behalf of Other Persons	Mr Stephen Cooksey	Councillor (Dorking South Ward)

5. Apologies were given on behalf of Councillor Margaret Cooksey who had made relevant representations but was unable to attend the hearing due to other commitments.
6. No Responsible Authorities were present, however the Police and Trading Standards had put forward suggested conditions for the licence should it be granted which the Applicant was in agreement with.

7. The Licensing Sub-Committee was satisfied that notice of the hearing was served on all relevant parties, and that all those entitled to speak at the hearing had an opportunity to do so.

Summary of Discussion

Applicant

8. Paul Lawson explained that the Golf Club is a not-for-profit organisation and is also a tenant of the Council. The Club was seeking a premises licence in order to expand and develop its operations. David Watson advised that there has been a golf club on the current site since 1897 and that Dorking Golf Club had held a Club Premises Certificate for many years without any problems in relation to its licensed activities. It was explained that two years ago the club had been on the verge of closure and only survived as a result of donations from its members. Since then Mole Valley District Council had secured £1 million in funding to develop the Hope Springs Eternal project and a new public footpath had been constructed across the club's land. The Premises Licence had been applied for as it was seen as a way for the club to improve its financial position and upgrade its facilities, without which the club was likely to continue to struggle financially and could possibly be forced to close.
9. The Applicant, in addressing the relevant representations raised in relation to public nuisance, stated that the club is situated in a very isolated location away from residential land. The representations had suggested that live music outdoors had the potential to disturb residents living at the new flats which were likely to be developed on the Kuoni site. David Watson explained that the proposed Kuoni development is situated over half a mile away from the club, and as such he did not believe that the granting of the premises licence would have an adverse impact on nearby residents.
10. In relation to the representation that granting the premises licence would increase crime and disorder, David Watson explained that the club has met with the Police and Trading Standards and agreed conditions to be put on the licence which are designed to minimise the likelihood of problems in this regard.
11. With regard to protection of children and public safety, it was explained that the club has been, and remains primarily a place where members of the club will come to drink and socialise, and it was not envisaged that the granting of the application would see members of the public drinking excessively.
12. When questioned by the Sub-Committee concerning how many members the club has, Paul Lawson replied that they have approximately 260 members, comprising around 110 day members, 40–50 off-peak members and the club also offer a new twilight membership. It was also explained that the club has around 80-90 social members who attend Bridge club and use the facilities for hosting meetings.
13. The Sub-Committee asked the Applicant how the club was planning to operate live music at the premises. The Applicant confirmed that it was not their intention to have live music every Friday and Saturday night, but it was included in the application to give them maximum flexibility. The Applicant assured the Sub-Committee that in reality live music events would be infrequent.
14. The Sub-Committee questioned whether the Club was seeking the provision for live music so that they could hold weddings and other functions in an outdoor marquee. Paul Lawson replied that a marquee would not be practical for the club to use as the only place it could be erected would be on the golf course itself, which members would be unlikely to approve of. Functions

would therefore remain inside the clubhouse. The club envisaged that inclusion of live and recorded music in the application could be used to enable music to be played on the balcony of the clubhouse. Paul Lawson added that in the summer the club is open until around 20.30/21.00 and if there was an event, this would usually be finished by around 00.00/ 00.30.

15. The Applicant was then questioned by the Other Persons as to how many events they have held in the last two years which involved live or recorded music. The Applicant confirmed that they hadn't held any outside music events in the previous two years. In response to a question asking whether there had been any alcohol related issues involving the club in the past, the Applicant explained that there had only been one incident he could recall, which had involved a young adult who had been drinking elsewhere in the town and subsequently entered the club. The police were called but no further action was taken.
16. As a closing remark the Applicant explained that they had applied for a premises licence as a means to increase their income and for the development of the club. They do not intend to serve alcohol beyond 00.30 or host raucous events, as they wish to operate a professional club.

Other Persons

17. Councillor Cooksey explained that as a Councillor he is responsible for looking at applications and protecting the residents he represents. He expressed particular concern that granting the application would cause public nuisance, particularly in respect of loud outdoor music which can travel over a substantial area. The club had not held music events in the past so it was untested as to how far sound from the premises might travel. He added that the provision of outdoor live and recorded music was a fundamental change from the previous Club Certificate and was likely to have a significant impact on neighbouring residents.
18. Councillor Cooksey was concerned that large functions have a tendency to be noisy affairs, and if the club were to be granted a carte blanche licence to hold such events throughout the year, residents would enjoy no certainty as to when their peace and quiet could be respected. Also, with the likelihood of the Kuoni site being developed into 81 flats, this increased the number of people who would be affected by such events.
19. As a closing remark, Councillor Cooksey said that his main concern in the granting of the premises licence gives the club carte blanche to play outside music which is an untested proposal.

Decision

20. The Licensing Sub-Committee considered the Council's own Licensing Policy and the written and oral representations made by the Other Persons, the Applicant and the conditions suggested by the Responsible Authorities.
21. The Licensing Sub-Committee was mindful that in accordance with the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003 they were under a duty to uphold the fundamental licensing objectives of public safety and the prevention of public nuisance and crime and disorder.
22. Having regard to the above, the Licensing Sub-Committee resolved to grant the application as applied for by the Applicant, subject the conditions put forward by the Police and Trading Standards as set out on page 6 of the report. The Sub-Committee acknowledged the concerns of the Other Persons regarding the lack of testing of outside music, but was content to rely on the

process of licence review in the event that any future issues arise which conflict with the licensing objectives.

23. The premises licence is effective from Tuesday 5th July 2016.

Rights of Appeal

24. The Applicant, Other Persons and/or Responsible Authorities have a right to appeal to the Magistrates' Court within 21 days of receiving this written decision notice.