

**Minutes of a meeting of the Licensing Sub-Committee held on
Monday 24th November 2014 at Pippbrook, Dorking
from 10.05am to 11.33am**

Present: Councillors: Paula Hancock, David Preedy and Charles Yarwood.

1. Election of Chairman

Councillor David Preedy was elected as the Chairman for the Sub-Committee review hearing.

2. Disclosure of Interests

None received.

3. Review of a Premises License: The Queens Head, Horsham Road, Dorking, Surrey.

The Sub-Committee considered a report that provided information to assist Members in their consideration of a review of a Premises Licence under the Licensing Act 2003 in respect of The Queens Head, Horsham Road, Dorking, Surrey.

Mr James Anderson (Solicitor, Poppleston Allen), Carole Syred (Designated Premises Supervisor, DPS) and Simon Thornton (Representative of Fullers) attended the hearing on behalf of the Premises License Holder.

Mr Murrae Hume (Surrey Police Licensing Officer) and Mr Bob Whiting (Mole Valley District Council Environmental Health Officer) attend on behalf of the Responsible Authorities.

Neither the Applicant nor Other Persons who had submitted written representations supporting the Application attended the hearing.

The Senior Licensing Officer introduced the report as set out with the previously circulated Agenda.

The Responsible Authorities representatives were invited to address the Sub-Committee.

The Premises Licence Holder and their representatives and then the Members of the Sub-Committee were given the opportunity to question the Responsible Authorities representatives.

The Premises Licence Holder and their representatives were then invited to address the Sub-Committee.

The Responsible Authorities representatives then Members of the Sub-Committee were given the opportunity to question the Premises Licence Holder and their representatives.

The Responsible Authorities representatives were given the opportunity to sum up their case.

The speakers on behalf of the Premises Licence Holder were then given the opportunity to sum up their case.

The Sub-Committee withdrew from the room to make its deliberations at 10.44am, and reconvened at 11.02am to ask the Premises Licence Holder representatives further questions.

The Sub-Committee then withdrew again from the room to make its deliberations at 11.15am and the legal adviser joined the Members during the course of their deliberations.

The decision and legal advice were reported back to the Hearing at 11.31am

RESOLVED:

Having considered the Council's own Licensing Policy and the written representations made by the Applicant and Other Person in support of the application and written and oral representations made by the Responsible Authorities and The Licence Holder representatives, the Sub-Committee has decided that there shall be no change to the existing Premises Licence at the Queens Head, Horsham Road, Dorking, Surrey.

Reasons for Decision:

In reaching their decision, the Sub-Committee considered both written and oral representations from the Responsible Authorities (Surrey Police and MVDC's Environmental Health) and the Premises Licence Holder representatives, and written representations from the Applicant and Other Persons in support of the Application. Neither the Applicant nor Other Persons who had submitted written representations supporting the application attended the hearing.

The Sub-Committee heard from the Responsible Authorities, Surrey Police and MVDC Environmental Health. Surrey Police referred to a list of 19 recorded incidents that were connected to the premises in 2014 and Members noted that this list of incidents were both positive incidents (those recorded by or on behalf of the DPS) and negative incidents. The Responsible Authorities also confirmed that Surrey Police had visited the premises and that the conditions attached to the premises licence were being observed. In conclusion, The Responsible Authorities stated that Surrey Police did not consider that there were any alterations to the conditions that would benefit the premises in promoting the licensing objectives. Furthermore, MVDC Environmental Health stated that most complaints received by their department were retrospective and made on a Monday or a Tuesday and the reported noise complaints related to noise in the street and not to noise escape from the premises.

The Sub-Committee also heard from the Licensee's representatives, who argued that; the Public House was well-run, especially after the 2012 imposed conditions which had clearly worked in promoting the licensing objectives; that it was important to note that the Police had not initiated the review and that in the absence of the Applicant or Other Persons who had submitted written representations supporting the Application at the hearing, and of any evidence supporting any interference with the terms of the premises licence, there were no measures available to the Licensing Sub- Committee to consider their submissions.

Having heard all the above representations, Members of the Sub-Committee agreed that; with respect to drinking-related anti-social behaviour, the Sub-Committee found no evidence that this aroused substantially from drinking at this premises rather than elsewhere in the town. With respect to noise, in the absence of formal noise logs and in the absence of the Applicant or Other Persons who had made written representations supporting the Application to provide verbal evidence, the written evidence submitted did not provide sufficient evidence of a noise nuisance from the premises.

The Sub-Committee noted that the DPS had maintained a contemporaneous log of late night activity and had taken steps to check on the noise impact in the street.

The Sub-Committee was also cognisant, in particular, to promote the licensing objective of, Prevention of Public Nuisance in accordance with the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003.

The Chairman reminded the Parties that there was a right to appeal within 21 days of receiving the written notice of the Committee's decision.

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Chairman