

Minutes of a meeting of the Licensing Sub-Committee held on 5th July 2016 at Pippbrook, Dorking from 10.00 to 11.30.

Sub-Committee Members Present: Councillors Metin Huseyin, Peter Stanyard and Charles Yarwood.

Also Present: Councillor Stephen Cooksey, Paul Lawson and David Watson

1. Election of Chairman

Councillor Peter Stanyard was elected as Chairman of the Sub-Committee.

2. Disclosure of Interests

None.

3. Application for a Premises Licence: Dorking Golf Club, Deepdene Avenue, Dorking, Surrey, RH5 4BX

The Sub-Committee received the report which asked it to determine the application for a new Premises Licence at Dorking Golf Club, Deepdene Avenue, Dorking, Surrey, RH5 4BX, in light of and having regard to the representations received.

Paul Lawson, Honorary Secretary of Dorking Golf Club, and David Watson, Director of Dorking Golf Club (The Applicant) attended the hearing in support of the application.

Councillor Stephen Cooksey, MVDC Councillor for Dorking South (Other Person) attended the hearing in objection to the application.

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

The Chairman invited the Applicant to present its case to the Sub-Committee. Paul Lawson explained that the Golf Club is a not-for-profit organisation and is also a tenant of Mole Valley District Council. The Club was seeking a premises licence in order to expand and develop its operations. David Watson added that Dorking Golf Club had held a Club Premises Certificate for many years without any problems in relation to its licensed activities. 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.

The Applicant, in addressing the representations raised in relation to public nuisance, stated that the club is situated in an isolated location away from residential land. The representations had suggested that live outdoor music 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 a Premises Licence would have an adverse impact on nearby residents.

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. 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.

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 Sub-Committee also 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 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.

In closing, 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 did not intend to serve alcohol beyond 00.30 or host raucous events, as they wished to operate a professional club.

Speaking in objection to the application, Councillor Cooksey explained that as a Councillor he is responsible for 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.

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.

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.

The Applicant and the Members of the Sub-Committee were given the opportunity to ask any further questions of the Other Persons. The Applicant and the Other Persons were then each given the opportunity to sum up their case.

The Sub-Committee subsequently withdrew from the room to consider its decision, in light of and having regard to the evidence put forward at the hearing.

The Sub-Committee returned to the Council Chamber to deliver its decision at 11.30.

RESOLVED: That the application for a Premises Licence be granted, subject to the conditions put forward by the Police and Trading Standards on page 6 of the report.

Reason for Decision:

In reaching its decision to grant the application for a Premises Licence, the Sub-Committee considered the Council's own Licensing Policy, and the written and oral representations received from the Applicant and Other Persons.

The Sub-Committee was mindful that in accordance with the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003, they are under a duty to uphold the fundamental licensing objectives of Public Safety, the prevention of Public Nuisance, and the prevention of Crime and Disorder.

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.

The Sub-Committee was cognisant, in particular, of the need to promote the licensing objectives of Public Safety, Prevention of Crime and Disorder and 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 all Parties that there was a right to appeal within 21 days of receiving the written notice of the Sub-Committee's decision.

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Chairman