

**Minutes of a Meeting of the Licensing Sub
Committee held at Council Chamber,
Surrey Heath House, Knoll Road,
Camberley, GU15 3HD on 30 April 2018**

+ Cllr Adrian Page (Chairman)
+ Cllr David Lewis + Cllr Pat Tedder

+ Present
- Apologies for absence presented

In Attendance: Paula Barnshaw, Administrative Officer: Licensing
 Ged Gorie, Regional Director, The Deltic Group Limited
 Jessica Harris-Hooton, Borough Legal Advisor
 Derek Seekings, Senior Licensing Officer
 Jonathan Smith, Solicitor, Poppleston Allen Licensing Solicitors;
 Jason Thorndycraft, Operations Director, The Deltic Group Limited
 Jack Tidd, Designated Premises Supervisor, Tru Nighclub
 Mike Tierney, Interested Party

1/LS Election of Chairman

RESOLVED that Councillor Page be appointed Chairman of the Licensing Sub Committee.

COUNCILLOR PAGE IN THE CHAIR

2/LS Declarations of Interest

There were no declarations of interest.

3/LS Licensing Sub-Committee Procedure

The Sub Committee and meeting attendees noted the procedure that would be followed during the hearing.

4/LS Application to Vary a Premises Licence - Tru, 52 High Street, Camberley, GU15 3RS

The Sub-Committee was informed that the hearing had been convened to decide the outcome of an application for a variation of a premises license for Tru Nightclub, 52 High Street, Camberley, GU15 3RS.

The application sought a variation that, if granted, would enable the Nightclub to:

- Extend the sale of alcohol, regulated entertainment and late night refreshment from Sunday to Thursday until 03:00 the following morning and on Friday and Saturday until 0400 the following morning.
- Amend the licensed area within the venue to include an additional area.
- Extend the capacity of the venue in line with the proposed changes to the licenced area.

The Sub-Committee was advised that the application had been correctly completed and the application had been advertised and responsible authorities notified in line with statutory regulations.

The Sub-Committee carefully considered all the information presented, both written and oral, from:

- the Licensing Officer who outlined the issues;
- the Applicants, The Deltic Group Limited
- Any Other Persons (4) who submitted written and oral representations;

together with reference to the Licensing Objectives: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, particularly noise nuisance, and Protection of Children from Harm, the Council's own Licensing Policy and the Secretary of State's guidance.

The Sub Committee noted that an additional written submission had been provided by the Applicant which expanded on the points raised in their initial submission. The Sub-Committee also noted that no representations had been received from any of the Responsible Bodies.

The Sub-Committee noted the concerns of the public representations, which included:

Crime and Disorder/Prevention of Public Nuisance

- Noise disturbance to those living on or in the immediate vicinity of the High Street in the early hours of the morning
- Anti-social behaviour in the high street in the early hours of the morning

The Sub-Committee also took note of the fact that:

- The Applicant had worked with Surrey Police and Environmental Health to ensure that any potential concerns were identified and addressed. As a result of this work it had been agreed that additional door staff would be employed and an Identification Security System, would be used to monitor the nightclub's clientele. It had also been agreed that a condition be placed on the licence that formalised the Club's Dispersal Policy
- In the nine months prior to the application, 14 Temporary Event Notices, with operating hours mirroring those of the application under consideration, had been granted to Tru. None of the Temporary Event Notices had been subject to any objections from the Police or Environmental Health.
- Body cameras were worn by all door staff and camera footage would be provided to the Police on request should any incidents occur.
- The Dispersal Policy placed an onus on the Club to ensure that its door staff were deployed strategically across the High Street as close down of the Club took place.
- It was acknowledged that the changes that would be brought in as a result of the new General Data Protection Regulations would impact on the storage of clientele data. Legal advice had been sought on the future storage of clientele data and this had confirmed that the data could be kept if there was a legitimate business interest in keeping it.
- The occupancy figure of 140 for the extended External Terrace area had been provided by the architect who had drawn up the plans. It was a maximum occupancy figure and because the terrace could only be accessed through the Club the figure was not in addition to the proposed total internal capacity of 1142.
- There was a fire exit from the extended External Terrace leading out into the street however the fire doors leading onto the street were alarmed. Consequently

access to the venue could not be obtained without going through the appropriate checks at the front entrances.

- The Sub-Committee noted the operating schedule proposed by the Applicant

In reaching their decision, the Sub Committee took into consideration the representations made in relation to the prevention of public nuisance and the prevention of crime and disorder. However, it was considered that the concerns did not meet the threshold that would undermine the relevant licensing objectives. From the representations made, the Sub Committee had confidence that the Applicant would trade as a responsible body, with a clear plan and policies in place to deal with any issues.

The decision making process was a matter of judgement by the Sub Committee and having weighed all the evidence provided by the interested parties and the Applicant the evidence came down clearly in favour of granting the variation. The Applicant had clearly addressed their minds to the processes and policies required to ensure that the licensing objectives were promoted. It had to be recognised that whilst the interested parties raised objections under the 4 licensing objectives, the objections had little evidential support and when weighed in the balance carried little weight. A number of the representations made by the objectors did not relate to the licensing objectives and as such they were not matters that the Sub Committee could consider.

On balance, the Sub Committee decided that granting the variation, would not have an adverse impact on the promotion of the four licensing objectives; Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, and Protection of Children from Harm. The Sub Committee found no evidence to justify refusing the variation.

RESOLVED that the application to vary the licence of Tru Nightclub, 52 High Street, Camberley, GU15 3RS be approved subject to such conditions that are consistent with the operating schedule, with the wording of the Licence conditions to be determined by the Licensing Officer and the Chairman of the Committee in order to ensure enforceability.

CHAIRMAN