

**Minutes of a Meeting of the Licensing
Sub Committee held virtually on 29
April 2021**

- + Cllr Rodney Bates
- + Cllr John Skipper
- + Cllr Helen Whitcroft

+ Present

- Apologies for absence presented

Substitutes: Cllr David Lewis

In Attendance: Paula Barnshaw, Senior Licensing Officer,
Surrey Heath Borough Council
Rebecca Batten, Solicitor, Surrey Heath Borough Council
Jane Gresswell, Interested Party
Simon Gresswell, Interested Party
Michelle Hazelwood, Wooldridge Group (legal representative)
David Holmes, Wooldridge Group
Marco Nardi, Wooldridge Group
Councillor Victoria Wheeler, Interested Party

5/LS Election of Chairman

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

COUNCILLOR RODNEY BATES IN THE CHAIR

6/LS Declarations of Interest

There were no declarations of interest.

7/LS Licensing Sub Committee Procedure

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

8/LS Application for a variation to a Premises Licence at Lavershot Barns, London Road, Windlesham GU20 6LL

The Sub Committee was informed that the hearing had been convened to determine an application to vary a Premises Licence at Lavershot Barns, London Road, Windlesham, GU20 6LL.

It was noted that the application sought permission for a new outside dining area to be known as Seasons Garden for retail sale of alcohol for consumption 'on' and 'off' the premises and live and recorded music inside and outside Monday to Saturday 09:00 to 21:00 and Sunday 09:00 to 17:00.

The application also requested that the terminal hour for the sale of alcohol be extended to 23:00 on Sunday, Monday, Tuesday and Wednesday for the Seasons Restaurant and permission was sought for live and recorded music outside also to cease at 23:00.

It was clarified to the Committee and interested parties that the existing authorised opening hours were 07:30-17:00 on Sundays and not between 07:30 and 16:00 as written in the Licensing Officer's agenda report.

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

The Sub Committee noted the supplementary information provided by the applicant. The Sub Committee carefully considered all the information presented, both written and oral, from:

- the Senior Licensing Officer who outlined the issues;
- the Applicant
- Interested Parties (3)

The Sub Committee noted the representations which had been received from members of the public and the local Councillor which made reference to noise nuisance caused by the noise of the venue's clients; as well as by clients leaving the premise's car park and taxis accessing the site. Whilst it was reaffirmed that environmental health had made no objection to the application, the Sub-Committee noted a number of environmental health related noise and light complaints, which had been made by the neighbours to the site.

In reaching their decision, the Sub Committee took into consideration the representations made in relation to the prevention of public nuisance. However, it was considered that the concerns did not meet the threshold that would undermine the relevant licensing objectives in relation to this variation. Notwithstanding this the Sub Committee requested that the residents living in the neighbouring properties be provided with the appropriate contact details for the applicant so that they would be able to liaise in respect of any concerns that might arise.

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 in favour of granting the licence. On balance, the Sub Committee decided that granting the licence, 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.

RESOLVED that

- i. the application for the variation of a premises licence at Lavershot Barns, London Road, Windlesham, GU20 6LL be granted subject to the conditions attached to the existing premises licence;**

- i. the additional conditions as suggested by the applicant, subject to minor amendments be imposed; and**
- ii. a supplementary informative be added to underline that the Sub Committee had not decided on any planning or environmental health matters in respect of the premises.**

Chairman