

**Minutes of a Meeting of the Licensing Sub  
Committee held at Council Chamber,  
Surrey Heath House, Knoll Road,  
Camberley, GU15 3HD on 5 December  
2018**

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+ Cllr Chris Pitt  
+ Cllr Pat Tedder

+ Cllr John Winterton

+ Present  
- Apologies for absence presented

In Attendance: Jim Archer, Greene King, Applicant  
Rebecca Batten, Legal Advisor  
Daniel Daly, Resident  
Mark Gordon, Greene King, Applicant  
Derek Seekings, Senior Licensing Officer

## **1/LS Election of Chairman**

**RESOLVED** that Councillor Pitt be elected Chairman.

**Councillor Pitt in the Chair**

## **2/LS Declarations of Interest**

There were no declarations of interest.

## **3/LS Licensing Sub Committee Procedure**

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

## **4/LS Application to Vary a Premises Licence - Kings Arms, 42 High Street, Bagshot, Surrey, GU19 5AZ**

The Sub-Committee was informed that the hearing had been convened to decide an application for a premises license variation for the Kings Arms, 42 High Street, Bagshot, Surrey, GU19 5AZ.

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 Applicant
- the interested parties (3) who submitted written 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 no representations had been received from any of the Responsible Bodies. The Sub Committee noted the concerns of local residents relating to Public Safety, Crime and Disorder and the Prevention of Public Nuisance including:

- Noise disturbance to those living in the immediate vicinity of the premises
- Anti-social behaviour in the vicinity of the premises which had resulted in the police being called.

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

- The applicant had hosted a number of regular events including Family Charity Days and Rock and Roll Bingo over the past eight years using Temporary Events Notices. The application to vary the licence had been submitted to enable the venue to continue hosting these events without the need to apply for Temporary Event Notices.
- In response to complaints received significant refurbishment of the front garden area had taken place to encourage customers to use this area rather than the back garden and Rock and Roll Bingo Sessions had been moved inside the public house.
- Daytime events held in the back garden area generally only took place between noon and 4pm.
- The Landlord had taken the decision to hire additional door staff between 8pm and midnight on Fridays and Saturdays and when special events were running to ensure that customers caused minimal disturbance to those in neighbouring properties.
- The police had been called to the premises on two occasions during the past eighteen months. The first following the ejection of two customers following an altercation during the daytime. The second call had been placed when a fight had broken out in the neighbouring public car park 45minutes after the pub had closed.
- The Live Music Act 2012 meant that a licence was no longer required between 8am and 11pm for live or recorded music when a premises licence permitting the sale or supply of alcohol for consumption on the premises was in place provided the audience did not consist of more than 200 people (now 500 due to the Deregulation Act 2015). The Act also disapplied any conditions relating to live or recorded music. However this relaxation could be reinstated following a review of the premises licence

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.

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 application.

**RESOLVED** that the application to vary the premises licence in respect of The Kings Arms, 42 High Street, Bagshot, Surrey, GU19 5AZ 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**

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