

# Licensing Sub-Committee

08/04/2021

<b>Subject</b>	Application to <b>vary a</b> Premises Licence for Sunbury Golf Centre		
<b>Purpose</b>	For determination		
<b>Report of</b>	Deputy Chief Executive	Ward	Halliford and Sunbury West
<b>Contact</b>	Karen Hollands Licensing Enforcement Officer (01784 444280)		

<b>Description and Location</b>	Sunbury Operations Limited have applied to vary a premises licence at Sunbury Golf Centre Charlton Lane, Shepperton TW17 8QA . Plan at <b>Appendix A</b>
<b>The Application</b>	<p>The application is for a full variation of a premises licence to approve internal alterations at the premises; also to extend the sale of alcohol onto the driving range and golf course from buggies Monday to Sunday 0700 to 2100; all other hours, conditions and licensable activities to remain as existing</p> <p>The application form is attached at <b>Appendix B</b>.</p>
<b>Representations</b>	<p>Relevant representations received from two other persons</p> <p>Letters of representation are attached at <b>Appendix C</b></p>
<b>Options</b>	<ol style="list-style-type: none"><li>1. The Sub-Committee is requested to consider the application for the variation of a premises licence on its merits.</li><li>2. Having had regard to the representations, the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are:<ul style="list-style-type: none"><li>▪ <b>To grant the application and modify the conditions of the licence, by alteration, addition or omission or</b></li><li>▪ <b>To reject the whole or part of the application.</b></li></ul></li></ol>

## 1. Background

1.1 The premises operates as a Golf Centre with a Club house, golf course and range.

**1.2 Licensable activities authorised by the licence**

- Sale by retail of alcohol (on and off the premises); Regulated Entertainment of films, live and recorded music, performance of dance, anything of a similar nature,
- Provision of Late Night Refreshment

**1.3 The times the licence authorises the carrying out of licensable activities**

- Alcohol; Regulated Entertainment of films, live and recorded music, performance of dance, anything of a similar nature, provision of facilities for making music and dancing and anything of a similar description.
- Monday to Saturdays, 10.00 to 02.00
- Sundays, 10:00 to 00:00
- Late Night Refreshment
- Monday to Saturdays, 23:00 to 02:00
- On Sundays, 23:00 to 00:00

1.4 On New Year's Eve, from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December).

**1.5 The opening hours of the premises**

- 10.00 to 02.20 Monday to Saturday
- 10.00 to 02.20 on Sundays
- (Where seasonal variations apply the closing time will be 20 minutes later than the permitted hours for licensable activities).
- The premises has the right to open at any time for non licensable activities

**1.6 Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

- For consumption on and off the premises

1.7 There are no complaints on file in respect of this premises.

**2. Application Summary**

2.1 In addition to the club house the applicant intends to licence the golf range and golf course for the supply of alcohol from golf buggies between 07.00 and 21.00.

2.2 Admission to the club house will be restricted to 10am for the sale of alcohol.

- 2.3 It is anticipated that golfers will walk onto the course from 7am and they will be able to buy alcohol from readily stocked buggies
- 2.4 The application has been consulted upon and adverts published in line with the regulations for the Licensing Act 2003.
- 2.5 Details of the application have been published on the Councils website
- 2.6 The designated premises supervisor where the premises licence authorises the supply of alcohol is Bradley Potts

### **3. Promotion of the Licensing Objectives**

The applicant has determined that no other conditions are required for this application. The wording from the application is below;

#### **Prevention of crime and disorder**

- Bearing in mind the nature of this application and those conditions attached to the licence nothing further is required.

#### **Public safety**

- Bearing in mind the nature of this application and those conditions attached to the licence nothing further is required.

#### **Prevention of public nuisance**

- Bearing in mind the nature of this application and those conditions attached to the licence nothing further is required.

#### **Protection of children from harm**

- Bearing in mind the nature of this application and those conditions attached to the licence nothing further is required.

### **4. Representations**

#### **4.1 Representations from Responsible Authorities**

There are no representations from Responsible Authorities

#### **Representations from 'other persons'**

Two relevant representations have been received from other persons and are attached at **Appendix D**.

- 4.2 The grounds for objection are summarised below in relation to each Licensing Objective.

#### **General – all four licensing objectives**

- Fear of Anti social behaviour

#### **Prevention of crime and disorder**

- Fear of drink driving
- Fear of assault on walkers by drunk golfers with dangerous weapons

#### **Public safety**

- Fear of walkers being assaulted by drunken golfers

## **Prevention of public nuisance**

- Fear of urination by golfers in public
- Fear of noise from rowdy golfers disturbing the neighbourhood

4.3 Issues which are not relevant to the licensing objectives and cannot be taken into account by a Licensing Sub-Committee:

- Objections on the basis of need, or lack of need, for premises to sell alcohol
- Parking, or other issues relating to general amenity rather than licensing objectives

## **5. Additional conditions volunteered by the applicant following discussions with Environmental Health/Surrey Police (if relevant)**

5.1 The Licensing Department is not aware of any discussions with Environmental Health or Surrey Police and no additional conditions have been volunteered by the applicant.

5.2 A copy of the existing premises licence with current conditions is attached at **Appendix C**.

## **6. Licensing Policy**

6.1 The Sub-Committee must consider the Council's own Statement of Licensing Policy when determining this application.

## **7. National Guidance**

7.1 The Sub-Committee must consider the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003. In particular the chapter in the National Guidance on determining applications is relevant in the consideration of this application and is attached at **Appendix E**.

## **8. Making a decision**

8.1 In making its decision the Sub-Committee must promote the licensing objectives only, taking into account National Guidance and the Council's own Statement of Licensing Policy.

8.2 The Sub-Committee must give reasons for its decision.

8.3 It is only where additional and supplementary measures are appropriate to promote the licensing objectives that there will be a requirement for appropriate, proportionate conditions to be attached.

8.4 Conditions on licences must:

- be precise and enforceable;
- be unambiguous;
- not duplicate other statutory provisions;
- be clear in what they intend to achieve; and,
- be appropriate, proportionate and justifiable.

8.5 It is important in considering the promotion of the licensing objective on prevention of public nuisance, that the Sub-Committee focuses on any

disproportionate or unreasonable effect the licensable activities at the premises, have on persons living and working in the area around the premises.

- 8.6 In determining the application, the Sub-Committee will need to consider whether there is actual evidence of problems in relation to the licensing objectives at this premises. Where the representations are unable to provide evidence of observed problems, as in the case of a new licence application, the Sub-Committee should be convinced that there is a very real threat of the fears or the dangers described in the representations actually occurring, before applying any conditions to address such fears or dangers.

#### **Appendices:**

**Appendix A – Location Plan**

**Appendix B – Application**

**Appendix C – Current Premises Licence**

**Appendix D – Representations from other persons**

**Appendix E – National Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003, paragraphs 9.31 to 9.44 of Chapter 9 determining applications**