

LICENSING SUB-COMMITTEE

3 October 2019

Application. Type:	Application for the variation of a Premises Licence, number GUPLA0326	
Ward:	Holy Trinity Ward	Ward Councillors: Cllr John Redpath Cllr Maddy Redpath Cllr John Rigg
Applicant:	Fuller, Smith & Turner PLC, Griffin Brewery, Chiswick Lane South, Chiswick, London, W4 2QB	
Agent:	Popleston Allen Solicitors, 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS	
Premises:	Kings Head, 27 Kings Road, Guildford, Surrey, GU1 4JW	
Proposal:	The premises is a public house located in a largely residential area of Guildford, with other commercial properties, including public houses, also in the vicinity. The application proposes to extend the opening hours and the hours for the sale of alcohol from 10 am to 8 am daily including the non-standard timings. There are no proposed changes to activities, conditions or the plan.	

1. SITE LOCATION

- 1.1 The premises is a public house situated in a largely residential area of Guildford, on the ward boundary between Holy Trinity Ward and Friary and St Nicolas Ward, and just south of Christchurch Ward. A site location map is attached as **Appendix 1**. The dots on the map indicate residential properties. The blue lines running down Stoke Road and along the railway line are the Ward boundaries.

2. LICENCE HISTORY

- 2.1 The current premises licence GUPLA0326 and the authorised plans are attached as **Appendix 2**.
- 2.2 The licence commenced on 24 November 2005. Fuller, Smith and Turner PLC have held the licence since this date.
- 2.3 The designated premises supervisor (DPS) has been varied twelve times since the licence commenced. The current DPS was specified on the licence on 18 April 2019.
- 2.4 The plan was last varied in 2011 by minor variation.

3. APPLICATION

The application form, a copy of which is attached as **Appendix 3**, gives the following information in relation to the variation proposal.

3.1 **Proposed hours and licensable activities:**

The application seeks to:

1. Extend the opening hours of the premises to open daily from 10:00 to 08:00, and
2. Extend the start time for the sale of alcohol on a daily basis from 10:00 to 08:00, and
3. To extend non-standard timings for opening hours and sale of alcohol to commence from 10:00 to 08:00.

4. CONSULTATIONS

(i) Consultation period

The application was submitted on 8 August 2019, was in consultation from 8 August 2019 to 5 September 2019. The application was advertised in accordance with the regulations.

(ii) Representations from Responsible Authorities

No representations were received from the responsible authorities.

(iii) Representations from other persons

A representation was received from a local resident. The representation on the grounds of prevention of public nuisance is attached as **Appendix 4**.

5. LICENSING POLICY

The following sections of the Council's Licensing Policy are relevant:

- Section 4: (Fundamental Principles)
- Section 12.4: (Prevention of Public Nuisance)
- Section 13 (Licence Conditions)

6. NATIONAL GUIDANCE

The following sections of the Guidance issued in April 2018 by the Secretary of State under Section 182 of the Licensing Act 2003 are relevant:

Paragraphs 2.15 – 2.21 – Public Nuisance

Paragraphs 9.31 – 9.41 – Hearings

Paragraphs 9.42 – 9.44 – Determining actions that are appropriate for the promotion of the licensing objectives

Paragraphs 10.1 to 10.66 – Conditions attached to premises licences

7. CONCLUSION:

(I) The Sub-Committee is requested to consider the application for the variation of the premises licence on its merits.

(II) Subject to paragraph (III) below, Section 35(2) of the Licensing Act 2003 provides that the Sub-Committee must grant the application.

(III) Having regard to the relevant representations received, the Sub-Committee must take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are:

- To modify the conditions of the licence, whether by alteration or omission of conditions or the addition of new conditions. Any additional or altered conditions must be appropriate for the promotion of the licensing objectives, proportionate and should address the matters raised in the representations.
- To reject the application in whole or in part.

Originator:

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