

LICENSING SUB-COMMITTEE

Monday 23 November 2015

Application Type:	Application for a New Premises Licence	
Ward:	Holy Trinity	Ward Councillors: Cllr Christianson Cllr Davis Cllr Paul
Applicant:	Mr Andrew Dore	
Premises:	Corkage Ltd 60 Quarry Street Guildford GU1 3UA	
Proposal:	<p>The premises will be used as an independent wine retailer, intending to sell and supply a range of wine from the premises.</p> <p>The application is for a Premises Licence allowing the sale of alcohol for consumption on and off the premises between the hours of 10:00 and 21:00 daily Monday to Saturday and between 11:00 and 16:00 on Sunday.</p> <p>The on-sales will consist mainly of wine tasting and similar events on specific days during the year.</p>	

1. SITE LOCATION

- 1.1 The premises is currently under development/redecoration and is situated on the ground floor of 60 Quarry Street, Guildford with a mixture of commercial and residential properties within the immediate vicinity.
- 1.2 A site location map is attached as **Appendix 1**.

2. APPLICATION

- 2.1 The application form, a copy of which is attached as **Appendix 2**, gives the following information in relation to the proposed hours:

Licensable activities:

- The sale of alcohol

Proposed hours:

The table below shows the proposed licensable activities and hours

Activities	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Sale of alcohol							
For consumption on and off the premises	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00	11:00 – 16:00
Times premises are open to public							
	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00	11:00 – 16:00

2.2 **Promotion of the four licensing objectives**

The applicant has submitted a number of proposals and steps that they intend to take, in order to promote the four licensing objectives.

The steps proposed are detailed in section M of the application.

If the licence is granted, the proposals will be converted into relevant conditions attached to the licence.

3. **CONSULTATION**

3.1 The application was in consultation from 2 October 2015 to 31 October 2015. The application was advertised in accordance with regulations.

Responsible Authorities.

3.2 There have been no representations/objections received from any of the Responsible Authorities.

Representations from other persons

3.3 Two representations have been received primarily on the grounds of the prevention of public nuisance. The objectors feel that there will be an increased level of nuisance to residents. The representations refer to noise nuisance from customers, both in the courtyard area and when leaving the premises. Mention is also made of nuisance from music, lighting in the courtyard, cigarette smoke and nuisance from the disposal of refuse.

3.4 A number of matters have been raised which are outside the remit of the Sub-Committee. These include the safety of the public on the highway, the provision of toilets and issues of privacy.

3.5 A copy of the representations are attached as **Appendix 3.**

4. **LICENSING POLICY**

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

- Section 5: (Fundamental Principles)
- Section 11: 11.1 – 11.6 (Public Nuisance)
- Section 13: 13.1 – 13.6 (Licensing Hours)

5. **NATIONAL GUIDANCE**

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

Paragraphs 2.14 – 2.20 – Public Nuisance

Paragraphs 9.30 – 9.40 – Hearings

Paragraphs 9.41 – 9.43 – Determining actions that are appropriate for the promotion of the licensing objectives

Paragraphs 10.1 to 10.68 – Conditions attached to premises licences, which include mandatory conditions to be included in every licence.

If granted, mandatory conditions will be attached to the licence. Please see attached at **Appendix 4.**

6. CONCLUSION:

- 6.1 The Sub-Committee must consider the application for the grant of a premises licence on its merits.
- 6.2 Subject to paragraph (3) below, Section 18(2) of the Licensing Act 2003 provides that the Sub-Committee must grant the application subject to the mandatory conditions and such conditions as are consistent with the operating schedule.
- 6.3 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 impose modified or additional conditions on the licence. 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 exclude any of the licensable activities from the scope of the licence.
- To refuse to specify a person as the premises supervisor.
- To reject the application.

Originator:

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