

Licensing Committee
23 JANUARY 2017

Present: Councillors: Roger Clarke, Karen Burgess, Mike Morgan and
Kate Rowbottom

LI/1 **ELECTION OF CHAIRMAN FOR THE MEETING**

RESOLVED

That Councillor Karen Burgess be elected Chairman for the meeting.

LI/2 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

LI/3 **ANNOUNCEMENTS**

There were no announcements.

LI/4 **APPLICATION FOR CONSIDERATION**

**FOR THE VARIATION OF A PREMISES LICENCE, UNDER SECTION 34 OF
THE LICENSING ACT 2003, IN RESPECT OF ROFFEY PARK INSTITUTE,
FOREST ROAD, COLGATE**

DETAILS OF APPLICATION:

- (i) To amend the operating condition, attached to the existing Premises Licence granted 14th February 2011, from:

‘Sources of noise from music, singing or speech, whether amplified or otherwise must be barely audible outside noise sensitive premises such that it is inaudible inside noise sensitive premises between the hours of **22.00 and 07.00**. This must take into account the periodic opening of the front door after 22.00 to allow patrons to enter and exit the premises for smoking. All other doors and windows should remain closed after 22.00 unless in the event of an emergency.’ to:

‘Sources of noise from music, singing or speech, whether amplified or otherwise must be barely audible outside noise sensitive premises such that it is inaudible inside noise sensitive premises between the hours of **00.00 and 07.00**. This must take into account the periodic opening of the front door after 00.00 to allow patrons to enter and exit the premises for smoking. All other doors and windows should remain closed after 00.00 unless in the event of an emergency.’

- (ii) To move the designated area for private functions further from the Roffey Park Institute boundaries and from neighbouring properties.

The Licensing Officer presented the report, which set out details of the application and representations made by interested parties.

Responsible Authorities: The Local Licensing Authority (Environmental Health and Licensing) objected to the application on the grounds that it would undermine the licensing objective for the prevention of public nuisance.

There had been no objection from: Sussex Police; West Sussex Fire & Rescue Service; Public Health; Health & Safety Executive; and the Local Planning Authority.

Interested Parties: Colgate Parish Council objected to the proposal. Seven letters of representation objecting to the application had also been received.

The Sub-Committee heard the following representations:

The Environmental Health Officer outlined his reasons for objecting to the proposal.

The Ward Member for Rusper & Colgate addressed the Sub-Committee in objection to the application.

One member of the public spoke in objection to the proposal. He presented photographic details of the site which, with the agreement of the applicant, were circulated to Members of the Sub-Committee.

The Chairman then heard from the applicant and the applicant's representative.

The Chairman and members of the Sub-Committee further questioned the applicant and interested parties.

The Sub-Committee determined the application under the four licensing objectives: the prevention of crime and disorder; the prevention of public nuisance; the protection of children from harm; and public safety.

Members considered all the evidence and submissions before them including the representations made on the application, and the answers to questions given by those present.

The Sub-Committee were not convinced that the steps taken by the applicant were successful in preventing noise nuisance to nearby neighbours, and concluded that the proposed variation to the Premises Licence would, on the balance of probability, be detrimental to the achievement of the Licensing Objective of the prevention of public nuisance.

RESOLVED

That the application for a variation to the Premises Licence for Roffey Park Institute be refused.

REASON

The proposal would be detrimental to the achievement of the following Licensing Objective:

- the prevention of public nuisance.

The parties were informed of the rights of appeal.

The meeting closed at 12.20 pm having commenced at 10.15 am

CHAIRMAN