

Decision following Licensing Sub Committee on 28 June 2019

Application for a premises licence at Lewes Golf Club, Chapel Hill, Lewes

The hearing concerned an application from Lewes Golf Club Limited ("the applicant") for a premises licence at Lewes Golf Club, Chapel Hill.

The licensable activity applied for is the sale of alcohol on and off the premises from 9.00am – 11.00pm.

In discharging its functions the Sub Committee considered the promotion of the four licensing objectives, the Council's own Licensing Policy, the Home Office guidance, other relevant legislation and the rules of natural justice.

The Sub Committee considered the application and the applicant's oral representations made at the hearing. The applicant stated that there would, in fact, be no extension to the current licensable hours as they would continue to operate the same hours as under their current Club Premises Certificate. That the intention of this application was to be able to provide a service (provision of alcohol) to walkers passing by the premises. Thus it would not lead to an increase in traffic, but in any event they did not consider they were responsible for the actions of those driving to or from the premises.

Due regard was also given to the written and oral representations of those who had made relevant representations. Those concerns focussed on how the grant of the premises licence would increase the volume of traffic and had particular concerns about large commercial vehicles driving along the single track access road to the premises. They stated that this would lead to an increase in erratic and dangerous driving which was already a problem. Those making representations also had concerns about an increase in noise caused by customers leaving the premises and as a result of drunken and anti-social behaviour.

The Sub Committee noted that the Police had no objections to the grant of the premises licence provided that the steps offered by the applicant to promote the licensing objectives are attached to the premises licence. These are outlined in the Report, in the main body of the Report, and on pages 29 and 30. It noted that no Responsible Authority had objected to the application.

Decision

The Sub Committee resolved to grant the premises licence in the same terms as applied for.

Reasons for the decision

In making its decision the Sub Committee took account of the applicant's representation that the licence would be primarily aimed at walkers and noted that they stated that they would not positively promote this licence to the general public (that not a pub). Whilst understanding the concerns of local residents, particularly about public nuisance relating to a potential increase in traffic, the Sub Committee was content that this application (given that the applicant already has a Club Premises Certificate) would not substantially impact upon the four licensing objectives. The Sub Committee noted and welcomed the representation from the applicant that they would not make use of the premises licence on Bonfire Night. The Sub Committee noted the references made to planning matters but did not consider those relevant to the licence application. However, it welcomed the

applicant's assertion that they would not use the premises licence until the issues with a planning condition are resolved.

The Licensing Act 2003 provides a right of appeal to the Magistrates Court in respect of an application for a premises licence. This right of appeal is open to both the applicant and to any person who has made a relevant representation. An appeal must be commenced by notice of appeal being given by the appellant to the Magistrates Court within a period of 21 days beginning on the date the appellant is notified in writing of the decision of the Licensing Sub Committee.

This decision will be provided to all parties in writing within the legal timescales.