

Licensing Sub-Committee

Minutes of meeting held in Ditchling & Telscombe Rooms - Southover House, Lewes on 28 June 2019 at 10.00 am

Present:

Councillors Sam Adeniji, Isabelle Linington and Sean MacLeod

Officers in attendance:

Sue Lindsey (Specialist Advisor (Licensing)), Michele Wilkinson (Lawyer (Housing & Regulatory)) and Nick Peeters (Committee Officer)

9 Premises Licence hearing - Lewes Golf Club

The Chair of the Licensing Sub Committee welcomed all parties to the hearing. Those attending introduced themselves and the procedures for the hearing were read out to all parties.

Prior to the Committee considering the report in respect of the Premises License for Lewes Golf Club, the Legal Officer apologised to all parties concerned for any confusion over the distribution of the agenda, advising however that, as all parties were in attendance, the meeting could proceed.

The application related specifically to the proposals for the following licensable premises activities:

Sale of alcohol for consumption on and off the premises from 9am to 11pm Monday to Sunday.

The Licensing officer presented the report to the committee and summarised the report as follows:

- The Golf Club currently operated under the authorisation of a Club Premises Certificate, allowing the sale of alcohol to club members and guests, Monday to Saturday 10am to 11pm and on Sundays 12 noon to 10.30pm.
- There were no records indicating when the Golf Club was initially issued with a Club Registration Certificate by Lewes Magistrates, however, records were available showing a 'renewal' of the original Club Registration Certificate issued by in February 2003 with conversion to a Club Premises Certificate issued by Lewes District Council in 2005.

- The Council had no record of any complaints against the premises and no representations against the issue of the Premises Licence applied for were received from any of the responsible authorities. However,
- A 'temporary event notifications' could be applied for outside of the authorisation of any Club Premises Certificate or Premises Licence. 13 letters and emails of objection were received from members of the public, and submitted on the grounds that the application would undermine the licensing objectives of public nuisance, crime and disorder, public safety and the protection of children from harm.

When considering the application, the following options were available to the sub-committee:

- To grant the licence in the same terms as it was applied for
- To grant the licence but modify the conditions
- To grant the licence, but modify the hours of licensable activity, or
- To refuse the licence.

Under Section 181, and Schedule 5 of the Act, there was a right of appeal to the Magistrates Court in respect of applications for new licences which was open to both the applicant and to any person who made relevant representation. The appeal application had to be made within 21 days of the written notification of the sub-committee's decision.

The members of the Sub-Committee and all parties present confirmed that they had no questions to ask the Licensing Officer regarding the Report.

Alan Burrows, representing the Lewes Golf Club, was invited to address the Sub Committee. Mr Gough highlighted the following points:

- The Club was not looking to increase its opening hours.
- The Club did not anticipate any increase in traffic
- The Club had installed CCTV to improve safety
- The Club felt the fear of increased vehicle traffic was not the reality and had a private car park which was clearly signposted as such.
- The car park only had sufficient room for its members and on busy days there was no intention to make it a public car park.
- The police, along with each of the other public bodies consulted, had made no objection to the application.
- The Club would not actively promote the change of license to Lewes residents in general and would simply have a sign outside the clubhouse advising walkers of the opportunity to use the facilities.

- The Club was looking to be similar to numerous other golf clubs in the county that allowed the public to enjoy their facilities.

Stuart Cameron-Waller, representing Lewes Golf Club, was also invited to address the Sub-Committee. Mr Cameron-Waller highlighted the following points:

- The club wished to operate harmoniously with its neighbours however the situation portrayed by the representations was not one that was recognised and the club was not aware of any evidence suggesting that alcohol was a contributing factors to the traffic management issues on Chapel Hill, which had no bearing on the Licensing application.
- Although the planning application referred to 'functions' and 'time-limited' events, this was fully respected and there were no plans by the club to hold any events of this kind and the club would seek to resolve any planning issues before continuing.
- The intention, by submitting the application, was to promote the Golf Club and increase public awareness of golf as an activity available to all.

The following points were clarified for the Sub Committee:

The Licensing Officer confirmed that the current club premises certificate only had the mandatory conditions attached (as a result of conversion from the previous Licensing Act). However, 1.5 of the report detailed the conditions for the new premises licence.

The Club was unable to sell alcohol to passers-by as the existing licence was for a club premises and only members of the club could be served and not members of the public

The Sub-Committee invited all parties present to ask the Applicant questions regarding the application.

Objectors asked how club members could be aware of the traffic issues experienced at the bottom of the road when they only passed through. Mr Burrows said the Club was not denying the issues experienced.

The Sub-Committee invited those who had made representations to address the meeting. The following points were raised:

One of the objectors had lived in Chapel Hill since 1969 and had seen the volume of traffic, the speed and size of vehicles accessing the Golf Club increase, particularly following a rebuild of the club house. Anti-social behaviour and erratic driving on Chapel Hill was a daily occurrence.

The Golf Club would be in conflict with planning conditions on the club house if alcohol were served to the public. The concerns of residents had been raised when the planning application was applied for.

The premises licence application was a revenue generating scheme put forward by the Golf Club and there was no reference to the fact that access to the Club was through a quiet, residential area that was the the most vulnerable section of the road.

Chapel Hill was a quiet road and there were concerns that the risk of drunken behaviour late at night and bad behaviour would increase. If walkers and passers-by were thirsty the Club could provide water drinking facilities.

The Sub-Committee invited both the applicant's representatives and those who had made representations and objected to the application to give their closing statements.

The applicant's representatives maintained the position that the Golf Club was not looking to extend the hours of drinking, or to increase its revenue. The Club was looking to provide a service to walkers and the public passing by, and in response to concerns raised separately by local residents, would not be holding a bonfire event.

Those who had made representations and objected to the application said that the Golf Club was for public recreation and pleasure but the bottom of Chapel Hill was where people lived. There was no desire for the club to cease its operation but there was a need for users of the Club to be more responsible drivers and for those in wider vehicles who accessed the club to be more considerate.

The Sub-Committee withdrew to consider its decision, but decided that it would be unable to make the decision on the date of the hearing. The Housing and Regulatory Lawyer explained that all parties would receive written notification of the Sub-Committee's decision within the legal timescales.

RESOLVED to notify the applicant and representations of the decision within the legal timescales.

The meeting ended at 11.30 am