

DECISION NOTICE

Licensing Sub-Committee of Tandridge District Council

Date of Hearing – 18th August 2022

Members of the Licensing Sub-Committee

Councillor Chris Botten (Chair)
Councillor Vicky Robinson
Councillor David Stamp

Determination of an application for a premises licence for 24 Godstone Road, Lingfield RH7 6BW (to trade as ‘The Drunken Cow’) under section 18(3) of the Licensing Act 2003.

In coming to its decision, the Licensing Sub-Committee has considered the following: -

1. The Licensing Act 2003;
2. The Statutory Guidance issued under section 182 of the Licensing Act 2003 (re-issued in April 2017);
3. The powers of the Licensing Authority to deal with this application contained within section 18 of the Licensing Act 2003;
4. The obligation to promote the four licensing objectives as set out in Section 4(2) of the 2003 Act; and
5. The Council’s Statement of Licensing Policy referred to in the Licensing Officer’s report.

The Licensing Sub-Committee is cognisant that there have been no representations in regard to the application from other Responsible Authorities, specifically the Surrey Police.

The Licensing Sub-Committee must carry out its functions with a view to promoting the four licensing objectives -

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

The Licensing Sub-Committee has focused its decision making on the likely effect of the grant of the application on the promotion of those objectives.

In its promotion of the four licensing objectives, the Licensing Sub-Committee has had to balance the interests and concerns of the Responsible Authority against the business interests of the applicant.

The Sub-Committee has carefully considered everything that it heard on 18th August 2022 and its decision is set out below.

Decision

It is the decision of the Licensing Sub-Committee that the application is refused on the grounds that the use of the garden area would fail to uphold the licensing objectives of:

- preventing public nuisance; and
- protecting children from harm.

The reason for this is that the neighbouring residents are highly likely to be severely, adversely affected as a result of the associated noise and potential disruption to family life arising from the daily use of the garden.