

RUNNYMEDE BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

LICENSING ACT 2003

HEARING DECISION NOTICE

Applicant: Egham United Services Club Limited
Premises: Egham United Services Club, 111 Spring Rise, Egham, Surrey TW20 9PE
Hearing date: 5 September 2005
Sub-committee: Councillors A.J. Davis, C. Knight and Ms. R.E. Hayler.

Application:
This was an application for:

1. conversion of the existing Licence; and
2. variation

The variation applied for was for an increase in authorised hours and the provision of regulated entertainment.

The Applicant was represented by Mr. John Goodwin a member of the committee of the club.

No relevant representations were received from responsible authorities. Six letters from interested parties were referred to the Sub-Committee, and of these Mr. S.J. Elliott of 16 Limes Road, Mrs. M.C. Humphries of 117 Spring Rise and Simon Chassar of 114 Spring Rise, who spoke on behalf of Flora Ferguson of 100 Spring Rise and on behalf of himself attended and spoke against the application.

Mr. Goodwin confirmed the measures taken by the club to ensure minimal disturbance to neighbours from the activities of the club. He confirmed that it was not the intention of the club to open at all times sought by the application but the club wanted the flexibility to do so as required. His explanation for requiring the additional was in effect that of a commercial necessity. If the club did not provide the facilities its members required then other licensed premises nearby would do so given the extended hours presently being sought by them. The interested parties were concerned that later hours would lead to greater levels of public nuisance from parking on the highway, persons coming to the premises late at night and leaving late at night, from young people traversing the area and the possibility that there could be a conflict. The interested parties all confirmed that the club was presently approachable and that on occasions when noise had been a nuisance an approach to Officers of the club had resulted in the noise being turned down. Apart from the suggestion that patrons leaving the club late at night resulted in some noise nuisance and some broken glass there was no evidence put to the Committee of public nuisance arising from the activities of the club as at present.

The Sub-Committee was, however, concerned that later opening hours could have public nuisance implications, particularly given the situation of the club in a wholly residential area. The Sub-Committee recognised that even courteous behaviour by members leaving in the early hours of the morning had the potential for disturbance to neighbours by reason of noise nuisance. This could arise from persons talking amongst themselves as they left, the noise of car engines being switched on, doors being shut and vehicles being driven away. The Sub-Committee was also concerned as to the possibility of noise nuisance arising from the provision of regulated entertainment, and in particular live music and race nights.

Having considered the application, the representations made by the interested parties and the submission to the applicant, the Committee's decision was as follows:

1. Application for conversion approved.
2. Application for variation approved, subject to the following conditions:
 - i) The garden area not to be used after 11.00 p.m. and such lights as are used for the illumination of it to be switched off then.
 - ii) The door to the snug to be kept shut at all times and appropriately worded notices to members advising them that the door is to be kept shut to be posted so as to be clearly visible to members.
 - iii) All other doors and windows to be kept shut at all times when live entertainment, whether music, race nights or otherwise, is being provided and to be kept shut after 11.00 p.m. in any event.
 - iv) Appropriate signage to be agreed with the Licensing Officer and to be clearly posted so as to be visible to members when leaving the premises requesting that they leave quietly and show due consideration for neighbours.
 - v) The showing of films to terminate at 11.30 p.m. Monday to Saturday and 10.30 p.m. on Sundays.
 - vi) The provision of live music, recorded music (other than incidental) and karaoke, entertainments of similar description and the provision of facilities for dancing to be restricted to 11.30 p.m. Monday to Thursday, 12 midnight Fridays and Saturdays and 10.30 p.m. on Sundays.
 - vii) The supply of alcohol to be restricted to 12 midnight Monday to Thursday, 12.30 a.m. Friday and Saturday and 11.30 p.m. Sundays and the premises to be closed to members 30 minutes from each of the foregoing times to allow for members to drink up and for staff to clean up and lock up the premises.
 - viii) The hours allowed for live music, recorded music, entertainment of similar description and dancing to be extended by one hour on the occasions of Christmas Eve, New Years Eve and Bank Holidays.
 - ix) The hours allowed for the supply of alcohol to be extended by one hour on Christmas Eve and Bank Holidays.
 - x) Bottles and other consumables likely to make a noise on disposal to be disposed of at reasonable times so as not to cause a nuisance to neighbours.

Reasons for the provision of conditions:

The conditions are imposed for prevention of public nuisance.

Appeal

If the Applicant or any person who made a relevant representation wishes to appeal again this Decision an appeal must be made to the North West Surrey Magistrates Court at Woking within 21 days of the date of receipt of this Notice.

Dated: