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2nd September 2005

To: The Members of the **ADJUDICATION SUB-COMMITTEE**
(Three members of the Licensing Committee, being Councillors Mrs Vivienne Chapman, Wynne Price and Bryan Ward (Councillor Fran Bennie substitute))

Dear Councillor

A meeting of the **ADJUDICATION SUB-COMMITTEE** will be held at Surrey Heath House on Monday, 12th September 2005 at 10.00am. The agenda will be as set out below.

The quorum of this Sub-Committee is 3. All appointed members must be present for the whole of the hearing.

Please note that this meeting will be recorded.

If the application or all representations made in respect of the application are withdrawn, the meeting will not take place.

Yours sincerely

BARRY R CATCHPOLE

Chief Executive

AGENDA

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1. ELECTION OF CHAIRMAN	-
2. LICENSING ACT 2003	1

Following the receipt of representations to consider the following application: The Dolphin, London Road, Camberley.

As part of the Council's agreed hearing procedure, the Chairman will invite declarations of interest.

Members who have a prejudicial interest in the application will not be able to take part in its consideration and would be advised not to participate if they have a personal interest. Members who consider they may have an interest MUST consult the Monitoring Officer or the Committee Administrator prior to the meeting as the meeting cannot proceed without all members being present.

Members are invited to declare that they do not have a personal or prejudicial interest.

LICENSING ACT 2003

Following receipt of representations the Sub-Committee is required to consider the following application.

THE DOLPHIN, LONDON ROAD, CAMBERLEY, SURREY

Type: Premises Licence - Application for a Conversion/Variation

1. Description of Premises:

(as detailed by the applicant in the application form)

Public House with Functions

2. Licensable Activities Currently Permitted:

Consumption of Alcohol On Premises

Consumption of Alcohol Off Premises

Recorded Music

Indoor Sporting Events

Films

3. Time Limits on Current Licence(s):

10:00 - 23:00 Monday - Saturday

12:00 - 22:30 Sunday and Good Friday

10:00 New Years Eve - 23:00 New Years Day

12:00 - 15:00 & 19:00 - 22:30 Christmas Day

4. Conditions Subject To Which Existing Licence Has Been Granted

(as detailed by the applicant in the application form)

Only such conditions and restrictions as are inherent in the Licensing Act 1964. Two AWP machine permits under the Gaming Act 1968.

Continuation of recorded music, TV & Radio broadcasting permitted under S182 of the Licensing Act 1964.

5. Variation Sought:

(as detailed by the applicant in the application form)

- 1) To permit regulated entertainments, comprising:
 - Live (acoustic/amplified) music and amplified voice
 - Recorded Music, including jukebox and karaoke
 - Compere for functions, quizzes etc with amplified voice
 - Pub games in front of an audience
 - Video Entertainment on TV screens and amusement machines
 - Facilities for music and dancing

- 2) To permit sale of alcohol on Friday, Saturday, Sunday, and Monday of Bank Holiday weekends, Christmas Eve and Boxing Day at any time from 07:00 until 01:00 hours the following morning. Also open within the same hours on up to 30 other event days per annum at my discretion ("Occasional Licenses").
- 3) On all days except as above to sell alcohol from 10:00 to 01:00 Fridays and Saturdays.
- 4) To offer permitted regulated entertainments throughout opening hours.
- 5) To be able to open on all days from 07:00 for all activities before the starting hour for alcohol service and at the end of permitted hours for the sale of alcohol to remain open for a further 30 minutes as a "wind down" period.
- 6) Remove all embedded restrictions inherent in the Licensing Act 1964, the Cinematograph (Safety) Regulations 1955 and the Children & Young Persons Act 1933.
- 7) Provide refreshment after 23:00 Hours.
- 8) Sale of Alcohol until 00:00hrs (Midnight)

6. Terms or Restrictions to be Removed

(as detailed by the applicant in the application form)

Remove all embedded restrictions inherent in the Licensing Act 1964, the Cinematograph (Safety) Regulations 1955 and the Children and Young Persons Act 1933.

7. Promotion of Licensing Objectives

(as detailed by the applicant in the application form)

General

The types of regulated entertainments proposed re-instate and then enhance the normal pub entertainments that were previously unregulated, with the benefit to enhance the local facilities for social entertainment and reduce the focus on alcohol.

No new steps have been identified by my risk assessment in relation to the four licensing objectives, except as below.

I have considered the terms of your local licensing policy in preparing this application.

The Prevention of Crime and Disorder

Providing a 30 minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly, with access to the pub's toilet facilities.

Not less than five working days written notice will be provided to Police when 'Events Days' are planned (Section M).

Public Safety

Function bookings will be limited to 60 persons. My risk assessment identifies no other risk of crowding.

The Prevention of Public Nuisance

Live music will end at 23:30
Recorded music will end at 01:00
All windows will be kept closed after 22:00

The Protection of Children From Harm

The restrictions set out in the Licensing Act 2003 will apply.
No unusual risks of harm to children have been identified.

8. Relevant Representations

Representations have been received from Environmental Services and four other interested parties. Copies of these representations are attached at Annexes C and D respectively. These representations are relevant to the prevention of public nuisance, prevention of crime and disorder, protection of children from harm and public safety licensing objectives.

9. Policy Considerations

Paragraphs 18 - 48, 54 - 64, 72 - 78, 79 - 96, 111 - 116, 150 - 157 of the Council's Licensing Policy Statement are applicable to the consideration of this application. These paragraphs are set out in Annex B.

10. Attachments:

Conversion/Variation Application - Annex A
Relevant paragraphs of the Council's Licensing Policy Statement - Annex B
Representations from Environmental Services - Annex C
Representations from four interested parties - Annex D.