

BOROUGH OF REIGATE AND BANSTEAD

LICENSING SUB-COMMITTEE

Minutes of a meeting of the Licensing Sub-Committee held at the Town Hall, Reigate on Tuesday 30th August 2005 at 10.00 a.m.

Present: Councillor J.V. Lyndon Morgan (Chairman); Councillors B.C. Cowle and S.A. Gates.

Also present: Councillor C.T.H. Whinney.

1. LICENSING SUB-COMMITTEE – PROCEDURE RULES

RESOLVED that the Procedure Rules for meetings of the Licensing Sub-Committee be noted.

2. APPLICATION FOR VARIATION OF PREMISES LICENCE – THE SHIP, COPSE ROAD, REDHILL

The Sub-Committee received a report on an application to vary an existing Justices' Licence for The Ship, Copse Road, Redhill.

The Sub-Committee followed the recently adopted procedure for the consideration of applications under the Licensing Act 2003 taking account of the statement of licensing policy that had been adopted by the Council.

The Sub-Committee were addressed by the Licensing Officer, the applicant and her representative, and a representative of the Environmental Protection Team who had originally objected to the application but who had subsequently reached agreement with the applicant on the conditions to be attached to the licence. The applicant offered to change an agreed condition to help allay concerns about noise from outdoor areas.

Questions were put to the Licensing Officer, the applicant and her representative and the representative of the Environmental Protection Team, who were then asked to give their closing statements.

On completion of hearing all the representations, questions/answers and summing up from all parties, the Sub-Committee adjourned to deliberate its decision from 10.14 a.m. to 10.23 a.m. On return the Chairman explained that the Sub-Committee had taken account of the following factors in reaching its decision. The Sub-Committee had paid due regard to the recommendations of the Environmental Protection Team and to the comments made on behalf of the applicant. The Sub-Committee noted the aims of the Licensing Act 2003 and paid specific regard to the need to promote the licensing objective of prevention of public nuisance. Members considered that the attachment of the agreed conditions would address the concerns raised by residents.

RESOLVED that the application for the variation of the existing Justices' Licence for The Ship, Copse Road, Redhill be granted subject to the following additional

conditions:-

- (i) No more than 30 events per calendar year.
- (ii) No more than 2 events per week.
- (iii) The Licensee shall ensure that any music provided at the premises shall not cause a disturbance to local residents. From 23.00 hours any music shall be inaudible in any residential property, the test of which is that it shall be no more than barely audible at the boundary of any residential property.
- (iv) No use of outdoor areas by patrons after 22.30 hours, except for ingress to and egress from the premises.
- (v) External lighting to be kept to a minimum compatible with safety purposes after 23.00 hours.
- (vi) No re-entry to be allowed to patrons after 23.00 hours.

In addition the Sub-Committee noted that while the licence permitted only indoor events, a Marquee was classified as indoor and consequently would be covered by the licence.

The Chairman informed those present that notification of the Sub-Committee's decision would be sent out in writing in due course.

3. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE FLYING SCUD, 90 WOODLANDS ROAD, EARLSWOOD**

It was reported that an application had been received for the variation of the Premises Licence in respect of the above property and Members noted that the only representations received to this application had been from the Council's Environmental Protection Team who had subsequently reached agreement with the Solicitors representing the Public House. As a result of mediation between the Licensing Officer, the applicant and the Environmental Protection Team, all parties had agreed to the following conditions being placed on the licence:-

- (i) No more than 30 events per calendar year.
- (ii) No more than 2 events per week.
- (iii) The Licensee shall ensure that any music provided at the premises shall not cause a disturbance to local residents. From 23.00 hours any music shall be inaudible in any residential property, the test of which is that it shall be no more than barely audible at the boundary of any residential property.
- (iv) No use of outdoor areas by patrons after 23.30 hours, except for ingress to and egress from the premises.
- (v) External lighting to be kept to a minimum compatible with safety purposes after 23.00 hours.

It was noted that the times in conditions (iii) and (v) had been provisionally agreed as 23.00 hours and not 23.30 hours as shown on the agenda.

In view of the fact that agreement had been reached between the parties a full Hearing was not required in respect of this application. Consequently it was

RESOLVED that the application for the variation of the Premises Licence for The Flying Scud, 90 Woodlands Road, Earlswood be agreed subject to conditions (i) to (v) set out above.

4. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE DINING ROOM, 59A HIGH STREET, REIGATE**

It was reported that an application had been received for the variation of the Premises Licence in respect of the above property and Members noted that the only representations received to this application had been from the Council's Environmental Protection Team who had subsequently reached agreement with the Solicitors representing the premises. As a result of mediation between the Licensing Officer, the applicant and the Environmental Protection Team, all parties had agreed to the following conditions being placed on the licence:-

- (i) The Licensee shall ensure that any music provided at the premises shall not cause a disturbance to local residents. At all times any music shall be inaudible in any residential property, the test of which is that it shall be no more than barely audible at the boundary of any residential property.
- (ii) Any regulated entertainments to be held in the back room only, which does not share a party wall with the adjoining property.

In view of the fact that agreement had been reached between the parties a full Hearing was not required in respect of this application. Consequently it was

RESOLVED that the application for the variation of the Premises Licence for The Dining Room, 59A High Street, Reigate be agreed subject to conditions (i) and (ii) set out above.

5. **APPLICATION FOR VARIATION OF PREMISES LICENCE – HORLEY CRICKET, HOCKEY AND SQUASH CLUB, THE PAVILION, HORLEY ROW, HORLEY**

It was reported that an application had been received for the variation of the Premises Licence in respect of the above property and Members noted that the only representations received to this application had been from the Council's Environmental Protection Team who had subsequently reached agreement with the Solicitors representing the premises. As a result of mediation between the Licensing Officer, the applicant and the Environmental Protection Team, all parties had agreed to the following conditions being placed on the licence:-

- (i) No more than 30 events per calendar year.
- (ii) No more than 2 events per week.
- (iii) The Licensee shall ensure that any music provided at the premises shall not cause a disturbance to local residents. From 23.00 hours any music shall be inaudible in any residential property, the test of which is that it shall be no more than barely audible at the boundary of any residential property.
- (iv) No use of outdoor areas by patrons after 23.00 hours, except for ingress to and egress from the premises.

- (v) External lighting to be kept to a minimum compatible with safety purposes after 23.00 hours.

In view of the fact that agreement had been reached between the parties a full Hearing was not required in respect of this application. Consequently it was

RESOLVED that the application for the variation of the Premises Licence for Horley Cricket, Hockey and Squash Club, The Pavilion, Horley Row, Horley be agreed subject to conditions (i) to (v) set out above.

6. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE ELM SHADES, PENDLETON ROAD, REDHILL**

It was reported that an application had been received for the variation of the Premises Licence in respect of the above property and Members noted that the only representations received to this application had been from the Council's Environmental Protection Team who had subsequently reached agreement with the Solicitors representing the Public House. As a result of mediation between the Licensing Officer, the applicant and the Environmental Protection Team, all parties had agreed to the following conditions being placed on the licence:-

- (i) No more than 30 events per calendar year.
- (ii) No more than 2 events per week.
- (iii) The Licensee shall ensure that any music provided at the premises shall not cause a disturbance to local residents. From 23.00 hours any music shall be inaudible in any residential property, the test of which is that it shall be no more than barely audible at the boundary of any residential property.
- (iv) No use of outdoor areas by patrons after 23.30 hours, except for ingress to and egress from the premises.
- (vi) External lighting to be kept to a minimum compatible with safety purposes after 23.00 hours.

In view of the fact that agreement had been reached between the parties a full Hearing was not required in respect of this application. Consequently it was

RESOLVED that the application for the variation of the Premises Licence for The Elmshades, Pendleton Road, Redhill be agreed subject to conditions (i) to (v) set out above.

7. **MEDIATION CASES**

It was reported that no cases had arisen since the preparation of the Agenda where formal approval was required for applications where agreement had been reached by mediation.

8. **ANY OTHER URGENT BUSINESS**

None.

The meeting closed at 10.45 a.m.