

## **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 11th October 2005 at 7.00 p.m.

Present: Councillors T.D Stoddart, A.M. Lynch and B.C. Cowle.

#### **1. ELECTION OF A CHAIRMAN**

Due to the unavoidable absence of the Chairman, consideration was given to the election of a Chairman for this meeting.

**RESOLVED** that Councillor T.D. Stoddart be elected as Chairman of the Sub-Committee for this meeting.

#### **2. LICENSING SUB-COMMITTEE – PROCEDURE RULES**

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

#### **3. APPLICATION FOR VARIATION OF PREMISES LICENCE – THE BEEFEATER, TATTENHAM CORNER**

The Sub-Committee received a report on an application to vary an existing Justices' Licence for The Beefeater.

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 heard the report from the Licensing Officer, representations from the applicant, from the representative of the objectors, and from the representative of the Environmental Protection Team. It was noted that the Environmental Protection Team had reached agreement with the applicant.

Questions were put to the Licensing Officer, the applicant, the objectors 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 7.43 p.m. to 8.20 p.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 comments made by the applicant and the representations made both orally and in writing by the objectors. The Sub-Committee noted the concessions offered by the applicant and the helpful suggestions of the objectors. The Sub-Committee noted that the Environmental Protection Team had reached agreement with the applicant. The Sub-Committee also 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. Due regard was also paid to the Statement of Licensing Policy and national guidance, Human Rights legislation and the rules of natural justice.

**RESOLVED** that the application for the variation of the existing Justices' Licence for The Beefeater, Tattenham Corner be granted subject to the following amendments and additional conditions:-

- (i) The hours permitted to be open be as follows:  
Monday – Sunday : 10.00 hours to 01.00 hours
- (ii) The hours permitted for the sale of alcohol be as follows:  
Monday – Sunday : 10.00 hours to 00.00 hours
- (iii) The hours permitted for activities under Sections B and C of the application be as follows:  
Monday – Sunday : 10.00 hours to 00.00 hours
- (iv) The hours permitted for activities under Sections E, F, G, and I of the application be as follows:  
Monday – Sunday : 10.00 hours to 23.00 hours
- (v) The hours permitted for the supply of late night refreshment be as follows:  
Monday – Sunday : 23.00 hours to 00.30 hours
- (vi) The hours permitted for activities under Sections E, F, G, I, L and M on the Sunday of Bank Holidays, Christmas Eve and Boxing Day be as follows:  
10.00 hours to 00.30 hours  
On New Year's Eve the hours permitted be as follows:  
10.00 hours to 02.00 hours
- (vii) 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.
- (viii) No use of outdoor areas by patrons after 23.00 hours, except for ingress to and egress from the premises.
- (ix) External lighting to be kept to a minimum compatible with safety purposes after 23.00 hours.
- (x) Signage shall be displayed prominently on exit from the premises and in the car park requesting patrons to leave quietly.
- (xi) Bottles for refuse shall not be put out after 23.00 hours and before 08.00 hours.

- (xii) No more than 12 live music events (Section E of the application) per calendar year.
- (xiii) No more than 18 other events per calendar year (encompassing Sections F, G and I of the application).

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

#### 4. **APPLICATION FOR VARIATION OF PREMISES LICENCE – KINGSWOOD GOLF AND COUNTRY CLUB**

It was reported that an application had been received for the variation of the Premises Licence in respect of the above property. Members noted that subsequent to the production of the agenda, agreement had been reached between the applicant and the Council's Environmental Protection Team who originally had submitted the only representations received to this application. As a result of mediation through the Licensing Officer, the Solicitors acting on behalf of 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) No use of outdoor areas by patrons after 23.00 hours, except for ingress to and egress from the premises.
- (iii) External lighting to be kept to a minimum compatible with safety purposes after 23.00 hours.
- (iv) No regulated entertainments are to take place outside the building, except on one occasion per year to finish at 23.00 hours, and the term 'outside the building' includes within a tent, marquee, lightweight or temporary structure, vehicle or anything similar to the aforementioned.

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 existing Justices' Licence for Kingswood Golf and Country Club be granted subject to the additional conditions set out in (i) to (iv) above.

#### 5. **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.

6. **ANY OTHER URGENT BUSINESS**

None.

**The meeting closed at 8.26 p.m.**