

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, 9th August, 2005 at 10.00 a.m.

Present: Councillor Mrs G.L. Circus (Chairman); Councillors N.D. Harrison and J.H. Prevett.

Also Present: Councillors P.J. Circus, J.V. Lyndon Morgan and 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 TOBY CARVERY, 2 REDSTONE HILL, REDHILL

The Sub-Committee received a report on an application to vary an existing Justices Licence for the Toby Carvery, 2 Redstone Hill, 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's representative and other interested parties (objectors who had registered to speak). The applicant's representative confirmed that the part of the application relating to regulated entertainment, i.e. the exhibition of films, and additional opening hours on notable days and certain international events, had been withdrawn.

Questions were put to the Licensing Officer, applicant's representative and other interested parties.

The applicant's representatives and other interested parties 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 10.32 a.m. to 11.27 a.m. On return the Chairman explained that the Sub-Committee had taken account of the following factors in reaching its decision:

- (i) the fact that no representations had been received from responsible authorities;
- (ii) the conditions offered by the applicant to one of the objectors, Mr James, who

was satisfied by those conditions;

(iii) the Committee had considered the representations made by the other objector, Miss O'Fee;

(iv) the response by the applicant that it was in their best interests as a hotel business to keep noise nuisance and anti-social behaviour to a minimum.

RESOLVED that the application for a variation of the existing Justices Licence for the Toby Carvery, 2 Redstone Hill, Redhill be granted as set out in the application subject to the following additional conditions:-

(i) a notice is to be clearly displayed on the premises requesting patrons to leave quietly;

(ii) no use of outdoor areas by patrons after 23.30 hours on any day, except for ingress to and egress from the premises;

(iii) a further notice is to be prominently displayed on the premises confirming that the external drinking areas are not to be used after 23.30 hours.

(iv) the hours of opening permitted are as follows:

1000 hrs to 0030 hrs - Monday to Sunday

(v) the supply of alcohol and provision of late night refreshment are permitted during the following hours:

1000 hrs to 0000 hrs – Monday to Sunday

(vi) the withdrawal of the application in respect of regulated entertainment, i.e. the exhibition of films, and additional opening hours on notable days and certain international events be noted.

The Chairman informed those present that notification of the Sub-Committee's decision would be sent out within 5 days.

There then followed an adjournment at 11.29 a.m. during which papers for the next application were prepared, and proceedings restarted at 12.01 p.m.

3. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE HATCH, 44 HATCHLANDS ROAD, REDHILL**

The Sub-Committee received a report on an application to vary an existing Justices Licence for the The Hatch, 44 Hatchlands 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's representatives and other interested parties (objectors who had registered to speak).

Questions were put to the Licensing Officer, applicant's representative and other interested parties.

The applicant's representatives and other interested parties 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 12.26 p.m. to 1.31 p.m. On return the Chairman explained that the Sub-Committee had taken account of the following factors in reaching its decision.

- (i) considerable weight was given to the objections raised by the Environmental Health authority
- (ii) the Committee felt the conditions were necessary to prevent public nuisance, an aim of the Council's licensing policy.

RESOLVED that the application for a variation of the existing Justices Licence for The Hatch, 44 Hatchlands Road, Redhill be granted as set out in the application subject to the following additional conditions:-

- (i) no use of outdoor areas by patrons after 23.00 hours, except for ingress to and egress from the premises;
- (ii) regulated entertainment, as applied for in sections B,C,E,F,G,I and J of the application, and provision of food to be permitted between the following hours:

10.00 hrs to 23.30 hrs – Monday to Sunday

- (iii) regulated entertainment on Special Days is to be permitted as requested in the application except for sections B and C, where it is permitted during the following hours:

10.00 hrs to 00.00 hrs

- (iv) the hours of opening permitted be as follows:

1000 hrs to 0000 hrs – Monday to Sunday

1000 hrs to 0030 hrs – Special Days

- (v) the supply of alcohol and provision of late night refreshment be permitted during the following hours:

1000 hrs to 2330 hrs – Monday to Sunday

1000 hrs to 0000 hrs – Special Days

The Chairman informed those present that notification of the Sub-Committee's decision would be sent out within 5 days.

4. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE RED CROSS INN, 96 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 it was noted that 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 Solicitors acting on behalf of the Applicant and the Environment 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 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 variation to the Licence for The Red Cross Inn, 96 High Street, Reigate be agreed subject to the above conditions.

5. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE AIR BALLOON, BRIGHTON ROAD, 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 Public House. As a result of mediation between 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 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) In addition, the Sub-Committee was asked to agree to the removal of a condition currently attached to the application i.e. all references to extending trading hours on occasions of local, national or international significance or charitable events.

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 variation to the Licence for The Air Balloon, Brighton Road,

Horley be agreed subject to the additional conditions (i) – (iii) above, and to the removal of the condition referred to in (iv) above.

6. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE WOODMAN, WOODMANSTERNE STREET, WOODMANSTERNE**

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 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) no use of outdoor areas by patrons after 23.30 hours, except for ingress to and egress from the premises;
- (ii) 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 variation to the Licence for The Woodman, Woodmansterne Street, Woodmansterne be agreed subject to the above conditions.

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 1.38 p.m.