

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, 16th August, 2005 at 10.00 a.m.

Present: Councillor Mrs. G.L. Circus (Chairman); Councillors B.C. Cowle and N.D. Harrison.

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 BLUE ANCHOR PUBLIC HOUSE, 27 WEST STREET, REIGATE

The Sub-Committee received a report on an application to vary an existing Justices' Licence for the Blue Anchor Public House, 27 West Street, Reigate.

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 other interested parties (objectors who had registered to speak). It was noted that the letters contained in the Agenda papers from the Tickled Ivory (pages 36 & 37) the Cranleigh Hotel (page 65) and Mr. & Mrs. de Vlugt (page 66) had not been received by the due date and consequently were disregarded by the Sub-Committee. It was noted that agreement had been reached between the police and the applicant with respect to "Event" days requested in Section M of the application being reduced to 12, and it was further noted that the time of function bookings as referred to in paragraph 13 of the report should be amended to 22.30 hours on Sunday evenings.

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

The applicant 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 11.18 a.m. to 12.59 p.m. On return the Chairman explained that the Sub-Committee had taken account of the following factors in reaching its decisions:-

- (i) the Sub-Committee felt that in order to promote the Licensing objectives it

was necessary to reject the application for live music to prevent public nuisance which could be caused by noise emanating from the premises. In reaching that decision the Sub-Committee placed considerable weight on written representations and oral representations from local residents and from the Environmental Protection Team. In this respect, the comments of the applicant, particularly in relation to the promotion of the Council's licensing objectives were also considered.

(ii) it was noted that the applicant did not wish to proceed with the provision of facilities for making music in relation to the stage area as set out in Section I of the application.

(iii) with reference to the supply of alcohol (Section M of the application) account was taken of the possibility of public nuisance and consideration was given to the prevention of disorder. The Sub-Committee also attached considerable weight to representations made by residents and the Environmental Protection Team and took note of the applicant's comments relating to this aspect.

RESOLVED that the application for a variation of the existing Justices' Licence for the Blue Anchor Public House, 27 West Street, Reigate be granted as set out in the application subject to the following amendments and additional conditions:-

(i) The Supply of Alcohol (Section M of application form) and Anything of a similar description to items falling within (e), (f) or (g) as shown in Section H of the application form be permitted during the following hours:-

Mondays – Saturdays	11.00 a.m. to 11.00 p.m.
Sundays	12 noon to 10.30 p.m.

In addition, the Sub-Committee accepted an additional hour for the sale of alcohol until 12 midnight plus 30 minutes drinking up time on the following Bank Holidays, viz. May Bank Holiday, Spring Bank Holiday, Whitsun, Easter Bank Holiday and August Bank Holiday on Fridays to Mondays, but not on Thursdays. These additional times would also apply on Christmas Eve only and Boxing Day only.

(ii) the Hours the Premises are Open to the Public (Section O of the application form) be as follows:

Mondays – Saturdays	11.00 a.m. to 11.30 p.m.
Sundays	12 noon to 11.00 p.m.

and Late Night Refreshments (Section L of application form) be permitted during the winding down period, i.e. Mondays to Saturdays 11.00 p.m. to 11.30 p.m. and Sundays 10.30 p.m. to 11.00 p.m.

(iii) the Exhibition of Films (Section B of application form), Indoor Sporting Events (Section C of application form), Recorded Music (Section F of the application), Performances of Dance (Section G of the application), and the Provision of Facilities for Dancing (Section J of the application) be permitted inside the public house only (not outside in the garden area nor in a tent or marquee) during the following hours:-

Mondays – Saturdays	11.00 a.m. to 11.00 p.m.
Sundays	12 noon to 10.30 p.m.

- (iv) the sections of the application relating to Live Music (Section E) and the Provision of Facilities for Making Music (Section I) be rejected for the reasons outlined above;
- (v) there shall be no use of outdoor areas by patrons after 23.00 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;
- (vii) the Licensee shall ensure that any music provided at the premises shall not cause a disturbance to local residents. At all times any regulated entertainment and any other music shall be inaudible in any residential property except for 29 West Street, Reigate, the test of which is that it shall be no more than barely audible at the boundary of any residential property; and
- (viii) the number of "Event" days shall be 12 in accordance with the agreement reached between the police and the applicant.

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

3. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE PRINCE OF WALES PUBLIC HOUSE, HOLMESDALE ROAD, 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 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 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.

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 a variation to the Premises Licence for the

Prince of Wales Public House, Holmesdale Road, Reigate be agreed subject to the additional conditions (i) to (v) above.

4. **APPLICATION FOR VARIATION OF PREMISES LICENCE – THE WHITE HART PUBLIC HOUSE, CHURCH 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 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 than barely audible at the boundary of any residential property.

(ii) No use of outdoor areas by patrons after 23.30 hours, except for ingress to and egress from the premises.

(iii) External lighting to be kept to a minimum compatible with safety purposes after 23.30 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 a variation to the Premises Licence for the White Hart Public House, Church Street, Reigate be agreed subject to the additional conditions (i) to (iii) 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 1.09 p.m.