

BOROUGH OF REIGATE AND BANSTEAD

LICENSING SUB-COMMITTEE

Minutes of a meeting of the Licensing Sub-Committee held at the Town Hall, Reigate on Wednesday 28th September 2005 at 10.00 a.m.

Present: Councillor J.V. Lyndon Morgan (Chairman); Councillors N.D. Harrison and F.J. Moore.

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 – OLD REIGATIANS RFC, PARK LANE, REIGATE

Prior to the application being heard the Chairman informed those present that he knew three of the objectors. The applicant indicated that he had no objection to the Chairman presiding over the hearing.

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

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 and his representative, from the Environmental Protection Team, and from the objectors. It was noted that the Environmental Protection Team had reached agreement with the representative of the applicant.

Questions were put to the Licensing Officer, the applicant, the representative of the Environmental Protection Team, and the objectors. The applicant and objectors, some of whom were represented by a Ward Councillor, were then asked to give their closing statements.

On completion of hearing all the representations, questions/answers and summing up from the parties, the Sub-Committee adjourned to deliberate its decision from 12.09 p.m. to 1.17 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 those made appropriately by the objectors. Equal weight had been given to those objections received in writing and those made at the meeting. Particular regard was attached to the objectors' evidence owing to the fact that the premises are located in the Green Belt and adjoining a residential area. The Sub-Committee noted that the Environmental Protection Team had reached agreement with the applicant, and that there had been no representations from the police. 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 Human Rights legislation and the rules of natural justice. Members considered that the attachment of the agreed conditions would go some way to addressing the concerns raised, but that they should be modified and supplemented.

RESOLVED that the application for the variation of the existing Justices' Licence for Old Reigatians RFC be granted subject to the following additional conditions:-

- (i) No more than 18 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) As long as persons remain on club premises and grounds under this licence a responsible club committee member shall be present and ensure that until the premises are closed and the grounds vacated proper control shall be exercised.
- (v) For each event the club is to ensure a suitable number of responsible club members are present to supervise the event, never being less than 2 members.

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 – DOUBLE 7 CLUB, HANWORTH 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 applicant. 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 condition 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.

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 the Double 7 Club be granted subject to the above additional condition.

4. **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.

5. **ANY OTHER URGENT BUSINESS**

None.

The meeting closed at 1.27 p.m.