

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 29th November 2005 at 10.00 a.m.

Present: Councillor Mrs G.L. Circus (Chairman); Councillors Mrs D.E. Durward and J.V. Lyndon Morgan.

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 AN EXISTING JUSTICES LICENCE – THE OLD CHESTNUT, 12 STATION APPROACH WEST, REDHILL

It was reported that an application had been received for a variation to an existing Justices Licence in respect of the above property. Members noted that 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) 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.
- (vi) No regulated entertainments are to take place outside the building and the term 'outside the building' includes within a tent, marquee, lightweight or temporary structure, vehicle or anything similar to any of 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 an existing Justices Licence for The Old Chestnut, 12 Station Approach West, Redhill be granted subject to the additional conditions (i) to (vi) inclusive set out above.

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 A PREMISES LICENCE – THE ADMIRAL INN, 109A NUTLEY LANE, REIGATE**

The Sub-Committee received a report on an application for the variation of the Premises Licence for The Admiral Inn.

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, the representative of the Environmental Protection Team and the representative of the objectors. It was noted that Environmental Protection had reached agreement with the applicant since the publication of the agenda. It was also noted that the applicant wished to alter the application to address the concerns over noise; Section E was altered to read that the finish time would be 23.00 hours on Saturday, and section F was altered to read that the finish time would be 23.00 hours on Friday and Saturday

Questions were put to the Licensing Officer, the applicant, the representative of the Environmental Protection Team, and the representative of the objectors, 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 10.35 a.m. to 11.17 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 comments made by the representative of the Environmental Protection Team, the applicant and the representative of the objectors. The Sub-Committee paid particular regard to the main objection concerning noise nuisance and the close proximity of residences to the Public House. The helpful concessions made by the applicant were noted. 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 a Premises Licence for The Admiral Inn, 109A Nutley Lane, Reigate be granted subject to the following amendments and additional conditions:-

(i) The hours permitted for activities under Section E Live Music are as follows:

Friday – Saturday : 19.00 hours to 23.00 hours

(ii) The hours permitted for activities under Section F Recorded Music are as follows:

Monday – Saturday : 11.00 hours to 23.00 hours
 Sunday : 12.00 hours to 22.30 hours

- (iii) The hours permitted for activities under Section I Provision of Facilities for Making Music are as follows:
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|-------------------|---|----------------------------|
| Monday – Saturday | : | 11.00 hours to 23.00 hours |
| Sunday | : | 11.00 hours to 22.30 hours |
- (iv) The hours permitted for activities under Section J Provision of Facilities for Dancing are as follows:
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|-------------------|---|----------------------------|
| Monday – Saturday | : | 11.00 hours to 23.00 hours |
| Sunday | : | 12.00 hours to 22.30 hours |
- (v) The hours permitted for activities under Section L Late Night Refreshment are as follows:
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|-------------------|---|----------------------------|
| Monday – Thursday | : | 11.00 hours to 23.00 hours |
| Friday – Saturday | : | 11.00 hours to 00.30 hours |
| Sunday | : | 11.00 hours to 22.30 hours |
- (vi) The hours permitted for activities under Section M Supply of Alcohol are as follows:
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|-------------------|---|----------------------------|
| Monday – Thursday | : | 11.00 hours to 23.00 hours |
| Friday-Saturday | : | 11.00 hours to 00.30 hours |
| Sunday | : | 11.00 hours to 22.30 hours |
- (vii) The hours permitted for activities under Section O Hours Premises are Open to the Public are as follows:
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|-------------------|---|----------------------------|
| Monday – Thursday | : | 11.00 hours to 23.30 hours |
| Friday – Saturday | : | 11.00 hours to 01.00 hours |
| Sunday | : | 11.00 hours to 23.00 hours |
- (viii) No more than 20 events per calendar year.
- (ix) No more than 2 events per week.
- (x) 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.
- (xi) No use of outdoor areas by patrons after 23.00 hours, except for ingress to and egress from the premises.
- (xii) External lighting to be kept to a minimum compatible with safety purposes after 23.00 hours.
- (xiii) No regulated entertainments are to take place outside the building and the term ‘outside the building’ includes within a tent, marquee, lightweight or temporary structure, vehicle or anything similar to any of the aforementioned.

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 A NEW PREMISES LICENCE – REDHILL KEBAB HOUSE, 15 BRIGHTON ROAD, REDHILL**

The Sub-Committee received a report on an application for a new Premises Licence for The Redhill Kebab House.

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, the representative of the Environmental Protection Team and the representative of the Planning Enforcement Team. It was confirmed that the applicant had intended to apply for the sale of late night refreshment, Section L, on Sundays as well, from 15.00 hours to 00.00 hours, but this had been inadvertently omitted from the application.

Questions were put to the Licensing Officer, the applicant, the representative of the Environmental Protection Team, and the representative of the Planning Enforcement 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 11.34 a.m. to 12.03 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 representative of the Environmental Protection Team, the representative of the Planning Enforcement Team and the applicant. It was noted that there had been no representations from members of the public. Particular regard was paid to the representations made by the Environmental Protection Team and the Planning Enforcement Team. It was noted that the planning permission for the site required the premises to cease trading at 00.00 hours. 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 a new Premises Licence for The Redhill Kebab House, 15 Brighton Road, Redhill be granted subject to the following amendments and additional conditions:-

- (i) The hours permitted for activities under Section L Late Night Refreshment are as follows:

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|--------------------|---|----------------------------|
| Monday to Saturday | : | 12.00 hours to 00.00 hours |
| Sunday | : | 15.00 hours to 00.00 hours |

- (ii) The hours permitted for activities under Section O Hours Premises are Open to the Public are as follows:

| | | |
|-------------------|---|----------------------------|
| Monday – Saturday | : | 12.00 hours to 00.00 hours |
| Sunday | : | 15.00 hours to 00.00 hours |

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 12.06 p.m.