

BOROUGH OF REIGATE AND BANSTEAD

LICENSING SUB-COMMITTEE

Minutes of a meeting of the Licensing-Sub Committee held at the Town Hall, Reigate on Friday, 3rd March 2006 at 10.00 a.m.

Present: Councillor J.M. Ellacott (Chairman); Councillors B.C. Cowle and J.H. Prevett.

1. MINUTES

In accordance with the revised procedures recently approved by Council, it was

RESOLVED that the Minutes of the meeting of the Sub-Committee held on 20th January 2006 be approved as a correct record and signed.

2. LICENSING SUB-COMMITTEE – PROCEDURE RULES

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

3. APPLICATION FOR NEW PREMISES LICENCE – WETHERSPOONS, VICTORIA ROAD, HORLEY

The Sub-Committee received a report on an application for a new Premises Licence in respect of Wetherspoons, Victoria Road, Horley.

The Sub-Committee followed the 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 and from the representative of the Environmental Protection Team. It was noted that two written representations had been received from members of the public, one of which had been received prior to the receipt of the application by the Council. Neither of the objectors were present at the meeting. It was also noted that subsequent to the distribution of the Agenda, the Environmental Protection Team had reached agreement with the applicant relating to two additional conditions to be attached to any Licence.

Questions were put to the Licensing Officer, the applicant and his representative and the representative of the Environmental Protection Team, who were then invited 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 10.33 a.m. to 10.54 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 information supplied by the applicant and the assurances given, particularly relating to the proposed operating policies, as evidence of the applicant's status as a responsible organisation. No representations had been received from the Police and the applicant would continue to work with the Police in relation to CCTV and other public order issues. The Sub-Committee also had regard to the initial objection from the Responsible Authority for Environmental Protection and the subsequent agreement with the applicant for additional conditions to be included. The views of the objectors were considered noting that one had been received prior to the receipt of the application, and the Sub-Committee reduced the weight placed on that objection accordingly. The Sub-Committee noted the aims of the Licensing Act 2003 and paid regard to the Council's Statement of Licensing Policy, the Statutory Guidance, Human Rights Legislation and the Rules of Natural Justice. Members took the view that in order to promote the licensing objective of the prevention of public nuisance, the conditions mentioned previously needed to be imposed.

RESOLVED that the application for a new Premises Licence in respect of Wetherspoons, Victoria Road, Horley be granted in accordance with the submitted application subject to the following conditions being attached to the Licence:-

(i) Unless otherwise agreed in advance and in writing with the Environmental Protection Responsible Authority, all windows and doors are to be kept closed, (except for ingress and egress) whilst regulated entertainment is taking place except where regulated entertainment consists solely of the showing of film that is directly related to, and shown simultaneously with, music that is incidental to other activities; and

(ii) There shall be no use of the outdoor area by patrons after 2300 hours for the purposes of licensable activities or the consumption of alcohol or food.

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 10.57 a.m.