

## **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, 25th April 2006 at 1.00 p.m.

Present: Councillor J.V. Lyndon Morgan (Chairman); Councillors Mrs. S.F. King and F.J. Moore.

(NOTE: The meeting was originally scheduled to commence at 10.00 a.m. However, one Member of the Sub-Committee had been delayed and was unavailable to attend the meeting until later in the morning. Attempts to contact a substitute Member proved unsuccessful and in order to comply with the requirements of the Council's Constitution which specified that all Licensing Sub-Committees should consist of three Members, it was suggested that the meeting should reconvene later in the day to ensure compliance with those provisions. At 10.33 a.m. therefore it was agreed by all Parties present that the meeting should reconvene at 1.00 p.m.

#### **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 LIQUID LOUNGE, CONSORT WAY, HORLEY**

The Sub-Committee received a report on an application for the variation of the Premises Licence in respect of The Liquid Lounge, Consort Way, 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 from the representative of the Police. It was noted that a written representation had been received from a members of the public, but that objector was not present at the meeting. It was also noted that subsequent to the distribution of the Agenda, the Police had reached agreement with the applicant relating to additional conditions to be attached to any Licence.

Questions were put to the Licensing Officer, the applicant and the representative of the Police in order to assist Members with the consideration of this application. In reply to a specific query concerning the existing Licence shown as Annex 4 to the submitted report, it was confirmed that the licence authorised the supply of alcohol both on and off the premises. The existing licence would be amended accordingly.

On completion of hearing all the representations and questions/answers, the Sub-

Committee adjourned to deliberate its decision from 1.28 p.m. to 1.55 p.m. On return, the Chairman explained that the Sub-Committee had taken account of the following factors in reaching its decision. No representations had been received from the Council's Environmental Health Services and the other objector who had submitted written representations had not attended the Hearing. The Sub-Committee also had regard to the initial objection from the Police and the subsequent agreement with the applicant for additional conditions to be included. It was noted that the applicant had confirmed that the premises were now included in the local Pubwatch scheme. 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 crime and public disorder, it would be necessary to impose the conditions mentioned previously.

**RESOLVED** that the application for the variation of the Premises Licence in respect of The Liquid Lounge, Consort Way, Horley be granted in accordance with the submitted application with the exception of Section M (Supply of Alcohol) which shall be from 1000 hours to 0300 hours daily, and subject to the following conditions being attached to the Licence:-

- (i) SIA approved Door Supervisors to be employed during opening hours at a ratio of two for the first hundred patrons and one for every additional hundred patrons or part thereof
- (ii) A suitable CCTV system to be installed and maintained, and recordings to be retained for a minimum of 31 days and made available to the Police on request.

### 3. **APPLICATION FOR PERSONAL LICENCE – JULIAN BLAKER**

The Sub-Committee received a report on an application for a Personal Licence submitted by Mr. Julian Baker. A Notice of Hearing had been served on the applicant in the usual way, but he was not present at the meeting and had not submitted formal confirmation that he would be attending. Further efforts to contact the applicant earlier in the day had proved unsuccessful.

In view of any possible effect on the applicant's livelihood, the Sub-Committee were concerned about reaching a decision on this application without affording the applicant every opportunity to attend and submit his case. It was therefore suggested that consideration of this application should be deferred to give the applicant a final opportunity to appear before the Sub-Committee and submit his case.

**RESOLVED** that consideration of this application be deferred to a suitable date and time to be determined in consultation with the officers.

(NOTE: Subsequent to this meeting, a letter was received from the applicant withdrawing his application, and consequently a further meeting was no longer required in respect of this case.)

### 4. **APPLICATION FOR VARIATION OF THE PREMISES LICENCE – CHEQUERS SERVICE STATION/TOTAL CONVENIENCE STORE, BONEHURST ROAD, HORLEY**

It was reported that an application had been received to vary an existing Premises Licence in respect of the above property. Members noted that agreement had been reached between the applicant and the Police who originally had submitted the only representation received to this application. As a result of mediation through the

Licensing Officer, the Solicitors acting on behalf of the applicant and the Police, the parties had agreed to the following condition being placed on the Licence:

- (i) The main door to the premises is secured between 2300 hours and 0600 hours and any sale of alcohol during that time is through the night service hatch.

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 to vary the existing Premises Licence for the Chequers Service Station/Total Convenience Store, Bonehurst Road, Horley be granted subject to the additional condition set out in (i) 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 2.15 p.m.**