

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, 20th June, 2006 at 10.00 a.m.

Present: Councillor Mrs. G.L. Circus (Chairman); Councillors J.M. Ellacott and Mrs. S.F. King.

Also present: Councillor A.J. De Save.

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 17th May 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 VARIATION OF PREMISES LICENCE - THE HATCH PUBLIC HOUSE, 44 HATCHLANDS ROAD, REDHILL

A report on an application to vary the Premises Licence relating to the above property had been circulated with the agenda for this meeting. It was noted that under the provisions of Section 11 of the Licensing Act 2003 (Hearings) Regulations, the Licensing Sub-Committee had authority to extend the time within which an application could be determined, where it considered this to be necessary in the public interest.

It was reported that the applicant was not in a position to proceed with the application at this meeting and had asked for the matter to be adjourned. In addition, Members of this Sub-Committee had been involved with a previous application relating to The Hatch and to avoid any bias or any perception of bias it was necessary to find other councillors to take their place. In this respect, no other suitable councillor was available for this meeting. Consequently, the Sub-Committee was asked to adjourn the Hearing for The Hatch, and it was noted that officers would liaise with the applicant and Interested Parties to agree a new date for this Hearing.

RESOLVED that the Hearing for the application for variation of the Premises Licence in respect of The Hatch, 44 Hatchlands Road, Redhill be adjourned to a date to be agreed in consultation with the applicant and Interested Parties.

4. **APPLICATION FOR NEW PREMISES LICENCE - PLANET SWEET, 82 VICTORIA ROAD, HORLEY**

The Sub-Committee received a report on an application for a new Premises Licence in respect of Planet Sweet, 82 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 from the representative of the Local Planning Authority who had made representations as a Responsible Authority. Those representations related to the proposed opening hours of the premises which differed from the opening hours currently approved under planning permission P/03/02161/CU dated 4th December, 2003. In response to queries, further clarification was given to the sections of the application relating to the hours the premises will be open to the public and the proposed hours for the sale of alcohol. In this respect it was explained that a further planning application had been submitted seeking approval for the hours under the planning legislation to be amended to coincide with the hours sought under this licensing application. The current planning application had not yet been determined. It was also noted that one written representation had been received from a member of the public, but the objector was not present at the meeting.

Questions were put to the Licensing Officer, the applicant and the representative of the Local Planning Authority, 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 10.18 a.m. to 10.44 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 further clarification given at the meeting. No representations had been received from the Police or the Environmental Protection Authority. The written views of the other objector had also been considered. The Sub-Committee noted the aims of the Licensing Act 2003 and had 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 set out below needed to be imposed.

RESOLVED that the application for a new Premises Licence in respect of Planet Sweet, 82 Victoria Road, Horley be granted subject to the following hours and conditions being attached to the Licence:-

(i) The hours the premises are open to the public (Section O of the application) shall be Mondays to Saturdays 0700 hours to 2200 hours and on

Sundays 0700 hours to 2100 hours;

(ii) The hours for the supply of alcohol (Section M of the application) shall be Mondays to Saturdays 0700 hours to 2130 hours and on Sundays 1200 hours to 2030 hours; and

(iii) Live Music (Section E of the application) be approved only on Saturdays or Sundays between 1200 hours and 2000 hours, and no more than 30 live music events be permitted each year.

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 10.46 a.m.