



**Reigate & Banstead**  
BOROUGH COUNCIL  
Banstead | Horley | Redhill | Reigate

<b>REPORT OF:</b>	HEAD OF COMMUNITY SERVICES
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<b>TO:</b>	LICENSING SUB COMMITTEE
<b>DATE:</b>	MONDAY 15 OCTOBER 2012

<b>AGENDA ITEM NO:</b>	4	<b>WARD(S) AFFECTED:</b>	REDHILL WEST
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<b>SUBJECT:</b>	APPLICATION FOR REVIEW OF PREMISES LICENCE: DOG AND DUCK PUBLIC HOUSE, 33 HIGH STREET, REDHILL, SURREY RH1 1RD
<b>PURPOSE OF THE REPORT:</b>	TO DETERMINE THE APPLICATION FOR REVIEW
<b>RECOMMENDATIONS:</b>  <b>Having had regard to the application for review and to the relevant representations, the Sub-Committee must take such of the following steps (if any) as it considers necessary for the promotion of the licensing objectives:</b>  <ol style="list-style-type: none"><li><b>To modify the conditions of the licence.</b></li><li><b>To exclude a licensable activity from the scope of the licence.</b></li><li><b>To remove the designated premises supervisor.</b></li><li><b>To suspend the licence for a period not exceeding three months</b></li><li><b>To revoke the licence.</b></li></ol>	

The Sub Committee has authority to determine the above recommendations.

### **Background**

- This is an application for review of the Premises Licence of The Dog and Duck public house, 33 High Street, Redhill, Surrey RH1 1RD by Surrey Police, a responsible authority under the Licensing Act 2003. The application received on 28 August 2012 which includes the grounds for the review is attached at Annex 1.
- Surrey Police also submitted an evidence bundle containing:
  - The notice of determination following a review of the licence on 30 March 2012
  - An incident log from 1 April 2012 to 21 July 2012
  - A visit log from 1 April 2012 to 24 April 2012

- Copies of Police statements
- A copy of statement from Reigate and Banstead Licensing Officer, Elizabeth Holliday.
- A copy of statement from Surrey Trading Standards Officer Katherine Bailey
- Additional police and CCTV operator statements.

These documents are attached at Annex 2

3. The premises is a public house situated in the High Street in Redhill town centre. A location plan is attached at Annex 3.

### **Relevant Licensing History**

4. A premises licence with respect to the Dog and Duck was granted to Wolverhampton and Dudley Breweries PLC by Reigate & Banstead Borough Council on 30 August 2005. Prior to this the premises held a Justices 'On' licence grant under the Licensing Act 1964. In January 2007 the premises licence holder changed name to Marston's PLC.
5. On 30 March 2012 the Licensing Sub Committee considered a review of the premises licence brought by Surrey police. The conditions that were attached to the premises licence are included in the evidence bundle in support of this review application.
6. The premises licence was transferred from Marston's PLC to Mr Owen Mahoney in April 2012. The current premises licence is attached at Annex 4.
7. There are no complaints recorded against the premises that have required involvement from the licensing team.

### **Promotion of Licensing Objectives**

8. This application for review relates to the Licensing Objectives "the prevention of crime and disorder", "public safety" and "the prevention of a public nuisance".

### **Relevant Representations.**

9. Eighteen representations were received from interested parties in support of the management of the Dog and Duck during the relevant period. These are attached at annex 5
10. A Notice of Hearing was sent to the applicant, the licence holder and to those who made individual representation on 28 September 2012.

### **Policy and Legal Considerations**

11. Relevant to this application is paragraph 6, 7 and 8 of the Councils' Statement of Licensing Policy - 'The Licensing Objectives - the prevention of crime and disorder' and 'public safety'

## Appeals Procedure

12. Appeals by interested parties may be made to the Magistrates Court within 21 days beginning with the day on which the appellant was notified of the decision to be appealed against. The rights of appeal are available to both the applicant for the review, and the premises licence holder.

Background Papers:     None

Annex 1	Application for review.
Annex 2	Police evidence bundle
Annex 3	Location Plan
Annex 4	The Dog and Duck current premises licence
Annex 5	Representations

