

BOROUGH OF REIGATE AND BANSTEAD

LICENSING SUB-COMMITTEE

Minutes of a meeting of the Licensing Sub-Committee held at the Town Hall, Reigate at 6.05 pm on Monday 17 June 2013.

Present: Councillor S T Bramhall (Chairman);
Councillors Mrs J Bray and Mrs R Turner

1. APOLOGIES FOR ABSENCE AND RECONSTITUTION OF THE SUB-COMMITTEE

There were no apologies for absence and membership of the Sub-Committee was as set out above.

2. MINUTES

RESOLVED that the minutes of the meetings held on 26 March 2013 and 8 April 2013 be **CONFIRMED**.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

It was noted that the applicant was a former councillor known to the sub-committee members, although there was no party political or personal connection with any of them.

4. LICENSING HEARING PROCEDURE NOTE

RESOLVED to note the hearing procedure note which would be followed at the discretion of the Chairman.

5. APPLICATION FOR A REVIEW: SHELL SERVICE STATION, BRIGHTON ROAD, HORLEY

In attendance:

Applicant:

Surrey Police:

For the licenceholder:

Mr R Nixon

Mr M Hume

Mr J Rankin

Mr C Lockett

The Sub Committee considered an application for a review of the premises licence in respect of the above premises.

The application was made by a resident who was concerned that the CCTV arrangements were inadequate to survey the alcohol display units. He was concerned at access and potential theft of alcohol by young people.

The annexes to the report before the Sub Committee set out the application in full, together with a location plan and copies of the representations received from Surrey Police and Surrey County Council in their role as responsible authorities.

Photographs provided by the applicant, to indicate the historic and the current layout of the premises, were circulated to all parties before the hearing.

It was noted that Surrey County Council were not represented at the hearing, but that the Child Employment Enforcement and Strategy Manager had confirmed in writing that she would not wish to raise further representations if the CCTV cameras were moved to allow proper surveillance of the alcohol display.

The parties made their submissions and responded to questions from the Sub Committee, during the course of which the following points were noted:

For the applicant:

- When purchasing goods in the store, the applicant became aware of a young person taking a bottle of alcohol and leaving the store without paying for it.
- He reported this and subsequently spoke to the manager of the store who conceded that the CCTV arrangements in the store did not allow a clear view of the alcohol display.
- No further action was taken however, prior to his request for a review of the licence.
- The applicant was aware that the CCTV system had been repositioned in the past few days. He had subsequently revisited the premises and was satisfied with the new arrangements.

For the licenceholder:

- The current premises licence was issued on 22 April 2013 following a minor variation to change the internal layout of the store.
- The licenceholder accepted that the CCTV surveillance arrangements at the time of the incident were inadequate and had now rectified the issue by repositioning the cameras.

For Surrey Police:

- Surrey Police was satisfied that the repositioned CCTV monitors allowed for adequate surveillance of the alcohol display units and had no further representations to raise.
- Should the alcohol display units be moved again, however, the CCTV monitors should also be repositioned.

*The Sub-Committee adjourned to deliberate at 6.20 pm
and resumed to give its decision at 6.36 pm.*

DECISION

The Sub Committee **RESOLVED** that the conditions attached to the licence should be **MODIFIED** as follows:

- The CCTV is to be fixed onto the alcohol display area, wherever the alcohol is displayed within the premises.
- The licenceholder is to liaise with Surrey Police if or when changing the position of the alcohol display.

Reasons for the decision

In reaching its decision the Sub Committee has:

- (a) reviewed all the papers contained in the report circulated with the agenda;
- (b) paid careful attention to all the submissions made orally during the hearing, by the applicant, the licenceholder's representatives and Surrey Police;
- (c) had full regard to the crime and disorder and protection of children from harm licensing objectives;
- (d) considered that the applicant and Surrey Police had demonstrated to its satisfaction that their representations relating to the promotion of the licensing objectives was persuasive; and
- (e) taken into account the Council's own Statement of Licensing Policy, the guidance issued by the Secretary of State under section 182 of the Licensing Act 2002, the individual merits of the case, human rights legislation and in particular Article 8 and Article 1 of the First Protocol, and the rules of natural justice.

The meeting closed at 6.39pm

