



Agenda

Licensing and Regulatory Sub- Committee

Thursday, 21 December 2023 at 11.30 am

New Council Chamber, Town Hall, Reigate



This meeting will take place in the Town Hall, Castlefield Road, Reigate. Members of the public, Officers and Visiting Members may attend remotely or in person.



Members of the public may observe the proceedings live on the Council's [website](#).

Members:

Z. Cooper (Chair)

J. Hudson

S. Sinden

Substitute:

D. Torra

Mari Roberts-Wood
Managing Director

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

1. Apologies for absence

To receive any apologies for absence.

2. Declarations of interest

To receive any declarations of interest.

3. Minutes (Pages 5 - 14)

To confirm as a correct record the Minutes of the previous two meetings.

4. Licensing Hearing Procedure (Pages 15 - 18)

To note the attached procedure which will be followed by the Licensing & Regulatory Sub-Committee, at the discretion of the Chairman, when considering the application at agenda item 5.

5. Application to vary the existing premises licence for: Grape Variety, 12 Chipstead Station Parade, Chipstead (Pages 19 - 40)

To determine an application to vary the existing premises license for the Grape Variety, 12 Chipstead Station Parade, Chipstead.



Our meetings

As we would all appreciate, our meetings will be conducted in a spirit of mutual respect and trust, working together for the benefit of our Community and the Council, and in accordance with our Member Code of Conduct. Courtesy will be shown to all those taking part.



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The Council's agenda and minutes are provided in English. However, the Council also embraces its duty to anticipate the need to provide documents in different formats, such as audio, large print or in other languages. The Council will provide such formats where a need is identified prior to publication or on request.



Notice is given of the intention to hold any part of this meeting in private for consideration of any reports containing "exempt" information, which will be marked accordingly.

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Minutes of a meeting of the **Licensing and Regulatory Sub-Committee** held at the **New Council Chamber - Town Hall, Reigate** on **Tuesday, 19 September 2023 at 12.30 pm.**

Present: Councillors Baker (Chair); S. Sinden and D. Torra

12 Apologies for absence

There were none.

13 Declarations of interest

There were none.

14 Licensing Hearing Procedure

The licensing hearing procedure note was noted.

15 Application to vary the existing premises licence for The Bulls Head, 55 High Street, Reigate

The Chair, the other members of the Sub-Committee and the officers present introduced themselves to the meeting.

Those representing the applicant were:

Mr Andrew Cochran (Solicitor for the applicant)

Mr Greg Sergeant (Business Development Manager for the applicant company)

Mr Gary Payne (Operator)

Mr Steven Cheung was in attendance as an objector. Mr Justin Haves, an Environmental Protection Officer, was in attendance as a representative of the responsible authority.

The applicant confirmed that a partial agreement had been achieved with Environmental Protection. The details of the agreement were provided later in the meeting.

Representations

The Licensing Officer provided an introduction to the application which was to vary the Premises Licence for the Bull's Head Public House of 55 High Street, Reigate RH2 9AE. It was explained that the area which was the subject of the application was labelled as a beer garden on the current plan as part of the existing Premises Licence. This was shown as completely open and with no fixed structures. Structures had been

Agenda Item 3

Licensing and Regulatory Sub-Committee, Tuesday, 19th September, 2023

erected in this area which had been granted planning permission by the Council as the planning authority subject to conditions. The plan submitted as part of the application would replace that on the existing Premises Licence. Attendees were reminded to keep comments and observations to the variation of the licence to the plan, and to the structures and their use.

Mr Andrew Cochrane, made the representation on behalf of the applicant:

- The outside area had been developed during the pandemic for both health and commercial reasons. This resulted in both the Planning and Licensing Applications.
- The objective of the Licensing Application was to enable the sale of alcohol from the new outside area in which Planning Permission had been granted for the structures.
- It was not the intention to operate this outside area all year round. Sales would be seasonal/in accordance with better weather.
- As a result of the Planning conditions, the new shelter in the beer garden had been acoustically insulated. It was also specified in these conditions that there could be no live or amplified music by way of speakers in the external area.
- Two licence conditions proposed by Environmental Protection had been agreed: (1) Staff would monitor customers in the external area to ensure they did not cause a public nuisance. (2) Notices would be prominently displayed in the external area requesting patrons to respect the needs of local residents and to leave quietly.
- However, it had not been possible to agree with Environmental protection a time for curtailing the use of the outside area. The applicant had agreed to 11pm whereas Environmental Protection wanted this to cease at 10pm. It appeared that this suggestion from Environmental Protection was based on a complaint received two and a half years ago.
- The comparison was made between the operation of the beer garden with and without Planning and a licence to sell alcohol within the new structure. With no Planning and licence, the beer garden could be open for the sale of alcohol until the end of licensing hours with no restriction on music up to 23:00 hrs due to the deregulation created by the Live Music Act. Whereas if the licence were granted, with the proposed terminal hour of use, trading would be from an acoustic shelter and would cease at 11pm and there would be no music. This situation would be better for residents.

Mr Justin Haves, the Environmental Protection Officer, made a representation on behalf of the responsible authority:

- It was confirmed that there was an impasse on the time that trading should cease.
- It was considered that 10pm was more appropriate due to the close proximity of residential properties. It was highlighted that there was potential to use the structure in the beer garden every day of the year due to its construction. It would have a capacity close to 100 as not all patrons would be seated, and noise would be generated from milling around. From experience, 10pm seemed more acceptable and would safeguard local residents from noise.

Mr Steven Cheung, an objector, made his representation.

- The windows in the property adjacent to the beer garden structure could not be opened in summer due to the noise and smoke.
- Called for the safeguarding of local residents.
- Questioned public safety due to the parking rights to the side of the pub and patrons using this area in conjunction with the beer garden. Bikes and mobility

Agenda Item 3

Licensing and Regulatory Sub-Committee, Tuesday, 19th September, 2023

scooters were left in this space and patrons had been found urinating behind cars, outside the shelter area. It was anticipated that there would be an accident.

- Highlighted that Planning applications had been made retrospectively which showed the cavalier way in which the business was operated.
- Questioned whether access could be provided for emergency vehicles and if the Bull's Head provided sufficient toilet facilities for its patrons.

Questions

In response to questions from the Licensing Officer, Mr Andrew Cochrane, on behalf of the applicant, explained that the ability of staff to supervise the beer garden would improve if alcohol was to be sold in the beer garden structure. There would be some element of supervision when the bar was open in the beer garden. This was described as an improvement on the usual operation of the beer garden where the presence of staff was intermittent. Enforcement would be on a regular basis, as defined by common English usage. There was no condition on the licence and no voluntary agreement in place, but in practice the beer garden did not operate to the terminal hour. However, to offer further reassurance, it was being voluntarily suggested that the beer garden should be put out of use at 11pm. Access to the beer garden was via the alleyway or from the rear of the pub building. It was noted that plan did not correctly show the exit at the bottom of the stairs into the alleyway and would need to be updated.

In response to questions from the Environmental Protection Officer, Mr Andrew Cochrane, on behalf of the applicant, explained that if the beer garden bar was not open patrons would still be able to purchase alcohol in the pub for consumption outside. The maximum seating capacity of the beer garden structure was 86. This could be increased with standing as was always the case with external structures. It was suggested the erection of the external structure may have decreased the capacity of the beer garden.

In response to questions from the Mr Steven Cheung, the objector, Mr Andrew Cochrane, on behalf of the applicant, explained that the licensing application would be preferable for local people. The beer garden that had previously been open was now enclosed with acoustic panelling, there could now be no outside music and the proposal had been made to limit the time of usage to 11pm.

In response to questions from the members of the Licensing Sub-Committee, Mr Andrew Cochrane, on behalf of the applicant, explained that the Bull's Head provided one female toilet cubicle and three gents' facilities. The use of the shared driveway was a long-standing arrangement that would not be changed by any decision made by the Licensing Sub-Committee. The area in question would remain as a beer garden and therefore be accessed by patrons using the shared driveway. There was a barrier in place directing the patrons. The shared driveway was very narrow, so drivers had to proceed at low speed. The reduction in usage to 11pm would only apply to the beer garden which was still an improvement on the present arrangements.

In response to questions from the Mr Andrew Cochrane, on behalf of the applicant, Mr Justin Haves, the Environmental Protection Officer, for the responsible authority, explained that whilst the World Health Organisation guidelines on noise focused on 23:00, it had been found that residents had a preference for 22:00.

Closing submissions

Agenda Item 3

Licensing and Regulatory Sub-Committee, Tuesday, 19th September, 2023

Mr Andrew Cochrane, on behalf of the applicant, summarised that should the licence be granted, alcohol would be served outside on a limited number of occasions. Without the licence being granted, alcohol would continue being consumed all year round. Mediation of the application had resulted in agreement that staff would monitor the area and notices be displayed on the premises encouraging patrons to respect the needs of local residents. Additionally, the applicant was voluntarily prepared to put the beer garden out of use after 11pm. The Planning conditions for acoustic panelling and restrictions on music had been met. The most recent complaint cited by Environmental Protection was over two and a half years old with no further complaints being made since the shelter was erected. The shared driveway was only used by a small number of vehicles.

Mr Justin Haves, the Environmental Protection Officer, summarised on behalf of the responsible authority that there was agreement on staff monitoring and the display of notices. It just remained for the usage time to be agreed. The proximity of local residents and therefore the likely effect had to be taken into consideration. It was thought that the acoustic panelling would not be of benefit with more than 100 people using the area in the summer.

Mr Steven Cheung, the objector, summarised that the exit from the pub opens outwards onto the alleyway which was of concern for drivers and public safety should be put first.

The Sub-Committee adjourned to deliberate at 13:27 and resumed at 13:45 to give its decision.

The Licensing and Regulatory Sub-Committee **RESOLVED** that the application be **GRANTED** subject to the conditions/reasons as set out as follows:

1. Staff will monitor customers in the external area on a regular basis and ensure patrons do not cause a public nuisance.
2. Notices shall be prominently displayed in the external area requesting patrons to respect the needs of local residents and to use the area quietly and to leave quietly.
3. The outside area shall be rendered unusable by 23:00 Monday to Sunday.

Reasons for the decision

The Licensing & Regulatory Sub Committee has carefully reviewed all the papers before it and has had close regard to all the oral submissions made at the hearing.

The reasons for the decision are as follows:

1. Conditions (1) and (2) have been agreed with the applicant.
2. Condition (3) the limitation of the use of the outside area to 2300 represents a reduction in the potential for public nuisance given that at present this area can be used for the consumption of alcohol until either midnight, 1.00 am or 1:30am.
3. The Sub-Committee has had regard to the Licensing Objectives, Section 182 Licensing Act 2003 statutory guidance and its own Statement of Licensing Policy, in particular Section 8.

Agenda Item 3

Licensing and Regulatory Sub-Committee, Tuesday, 19th September, 2023

The meeting finished at 1.48 pm

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Minutes of a meeting of the **Licensing and Regulatory Sub-Committee** held at the **New Council Chamber - Town Hall, Reigate** on **Thursday, 28 September 2023 at 12.00 pm.**

Present: Councillors M. Elbourne (Chair, Substitute); J. Hudson and S. Khan (Substitute)

16 Apologies for absence

Apologies for absence had been received from Councillors Baker, Sinden and Torra. Councillors Khan attended as Councillor Torra's substitute and Councillor Elbourne chaired the meeting, substituting for Councillor Sinden.

17 Declarations of interest

There were none.

18 Minutes

The minutes of the previous meeting held on 19 September were not approved as none of the Panel members that had sat on this Sub-Committee were present.

19 Licensing Hearing Procedure

The hearing procedure was noted.

20 Application to vary the existing premises licence for: the Giggling Squid 65 High Street, Reigate, Surrey, RH2 9AE

The Chair, the other members of the Sub-Committee and the officers present introduced themselves to the meeting.

Those representing the applicant were:
Mr Craig Bayliss (Solicitor for the applicant)
Simon Gallagher (Operations Manager – Giggling Squid)

Messer's Ron Gordon and David Johns were in attendance as objectors.

It was stated that no agreement had been achieved between the applicant and the objectors.

Representations

The Licensing Officer provided an introduction to the application which was to vary the Premises Licence for the Giggling Squid, 65 High Street, Reigate, RH2 9AE. A



Licensing and Regulatory Sub-Committee, Thursday, 28th September, 2023

summary of the variation was given regarding the use of the outside area to the rear of the premises to seat up to 16 patrons until 7pm. It was noted that two objections had been lodged. The objections to be considered by the Sub-Committee must relate to the licensing objectives.

Mr Craig Bayliss made the representation on behalf of the applicant:

- The applicant was requesting to continue with a condition that had already been in force, permitting use of the garden for no more than 16 patrons at a time, all of which would be seated.
- The rear garden would be cleared of patrons by 7pm.
- This condition was imposed until September 2021 however the restaurant had continued to use the garden as they were unaware that the time limited period on the licence had passed.
- In this time the restaurant had not received any complaints regarding noise and there were no objections to the variation from Environmental Protection.
- The restaurant wished to continue to use the garden in its current form with a couple of added conditions:
 - All doors and windows to be closed after 7pm.
 - The rear garden only to be used between 1 April – 30 September.
- Page 28 of the agenda pack showed the plan area. The area backed onto a car park and there were no residential properties close by.
- It was expressed that the variation was reasonable and commended this to the Committee.

Mr David Johns, Director of Pilgrims Mews, made a representation on behalf of the residents of Pilgrims Mews:

- Mr Johns confirmed that Mr Baylis' statement was eminently correct.
- Houses and flats were however relatively close by, and the dining area was close by to the communal area used by residents of Pilgrims Mews.
- Dining outside would have a detrimental effect on residents.
- Initially there was no concern by residents about outside dining as the licence was time limited and was in place due to Covid-19.
- The restaurant had approximately one year where they did not utilise the outside space but then they began to use it again.
- The impact on privacy, noise levels and smells were not reasonable, the rationale for this was purely commercial.
- There were concerns regarding a potential increase in vermin.
- It was accepted that there were restrictions in place.

Questions

There were no questions to the Licensing Officer.

In response to a member question the Solicitor representing the applicant offered to show photographs to demonstrate the area surrounding the garden. The Chair asked if anyone objected to the photographs being shown; there were no objections. There were at least three car lengths to the nearest property. It was noted that the loss of privacy was not a licensing objective.

Licensing and Regulatory Sub-Committee, Thursday, 28th September, 2023

The Licensing Officer stated that there was a requirement to deal with vermin under other legislation; however, Mr Gallagher explained that the restaurant employed a company to deal with vermin.

In response to a member question, Mr Johns explained that the communal areas were used by residents as a garden area for sitting, car parking and as an access route into the High Street.

In response to a question from the Licensing Officer, Mr Bayliss stated that the raised terrace area had seating, and this was included in the 16 covers in the garden area.

Mr Johns stated that the raised terrace/balcony area was not included in the original plans however it continued to be used. This was in a more elevated position and there was more overlooking as a result. The current plan showed all seating at ground level, and they strongly resisted the use of the raised area.

Closing submissions

Mr Craig Bayliss, representing the applicant, showed three photographs of the area around the garden to all present at the Sub-Committee. He agreed that the raised balcony/terrace would not be used for dining.

Mr David Johns stated that it was disappointing that the members of the Panel were not familiar with the site and hoped that the selected photographs were not too persuasive. Concern was raised regarding the impact on residents.

The Sub-Committee adjourned to deliberate at 12:40 and resumed at 13:00 to give its decision.

The Licensing and Regulatory Sub-Committee **RESOLVED** that the application be **GRANTED** subject to the conditions/reasons as set out as follows:

1. All rear/garden facing doors and windows to be closed after 7pm.
2. The garden area would be permitted for use from 1 April until 30 September only.
3. That the raised terrace/balcony area shall not be used by patrons at any time.

Reasons for the decision

The Licensing & Regulatory Sub Committee has carefully reviewed all the papers before it and has had close regard to all the oral submissions made at the hearing.

The reasons for the decision are as follows:

1. It has paid careful attention to all the oral submissions made today.
2. The Licensing & Regulatory Sub Committee has noted that the applicant offered the additional 3 conditions noted above.

Licensing and Regulatory Sub-Committee, Thursday, 28th September, 2023

3. The Sub-Committee has had regard to the Licensing Objectives, Section 182 Licensing Act 2003 statutory guidance and its own Statement of Licensing Policy, in particular Section 8.

21 Mediated applications

RESOLVED that the following applications determined through mediation be **NOTED** and **CONFIRMED**;

a) 23/01873/LAPREM - For a new Premises Licence: 85 Bell Street, Reigate, Surrey, RH2 7AN

b) 23/01121/LAPREM - For a limited period new Premises Licence: Pride In Surrey, Priory Park, Bell Street, Reigate, Surrey, RH2 7RL

c) 23/01085/LAPREM - For a new Premises Licence: Yia Yia's Tavern Limited, 53a Lesbourne Road, Reigate RH2 7JX

The meeting finished at 1.10 pm

Licensing & Regulatory Sub-Committee

Hearings Procedure Note

Series A: Licensing Act 2003

Note: Before the meeting begins the Chairman will remind everyone that the meeting is being recorded and webcast live and that anyone present therefore accepts that they may be filmed or recorded.

The order of business will be as follows, although the Chairman has discretionary power to vary it subject to all parties receiving a fair hearing

1. **The Chairman** will introduce him/herself, and will invite the Sub Committee, officers, the applicant and other interested parties to introduce themselves.
2. **The Chairman** will ask the interested parties whether agreement has been reached on any of the issues which are in dispute.
3. **The Chairman** will ask the applicant (or their representative) to confirm who will be speaking at the hearing.
4. **The Chairman** will ask other interested parties to confirm who will be speaking at the hearing.

Note:

Only those having made written representations (or their appointed representative) may speak at the hearing.

Details of all speakers should be provided to Democratic Services when returning the LAR1 notification form, at least five working days before the hearing.

Any late request to speak will be at the discretion of the Chairman and subject to equal treatment of all parties.

Agenda Item 4

Licensing & Regulatory Sub Committee
21 December 2023

Variation of Premises License
The Grape Variety, 12 Chipstead
Station Parade, Chipstead



5. **The Chairman** will invite the **Licensing Officer** to present the report, giving a brief outline of the application and the issues for consideration by the Sub-Committee.
6. **The Chairman** will invite the parties to make their representations to the Sub-Committee, in the following order:
 - (a) Applicant (or representative)
 - (b) Responsible authorities
 - (c) Other interested parties either for or against the application.
7. **The Chairman** will invite questions to and from the parties in the following order:
 - (a) from the Licensing & Regulatory Sub Committee members to:
 - i. the Licensing Officer
 - ii. the applicant (and/or their representative)
 - iii. the responsible authorities
 - iv. any other speaker
 - (b) from the Licensing Officer to any other party;
 - (c) from the applicant and/or representative to any other party;
 - (d) from the responsible authorities to any other party;
 - (e) from any other speaker to any other party

Note: All questions must be put through the Chairman. There is to be no direct cross-examination between the parties, at any time, without the express permission of the Chairman.
8. **The Chairman** will invite closing submissions from the parties in the following order:
 - (a) the applicant (or their representative),
 - (b) the responsible authorities,
 - (c) any other speakers.

9. **The Chairman** will confirm that no one else has anything further to add and will then adjourn the meeting.
10. The Sub-Committee will deliberate in private, attended by the legal officer and the democratic services officer who may only give professional advice or guidance.
11. If it is necessary to recall any party to clarify points in issue, all parties will be invited to return.
12. When the Sub-Committee has reached its decision all parties will be advised and the Chairman will resume the meeting.
13. **A summary of the decision will be given**, which is to be considered as provisional and subject to amendment or correction in the detail, until the formal decision is issued in writing.

HEARING FORMALLY CLOSED

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REPORT OF:	HEAD OF NEIGHBOURHOOD OPERATIONS
AUTHOR:	PAUL MOREY
TELEPHONE:	01737 276445
E-MAIL:	Paul.morey@reigate-banstead.gov.uk
TO:	LICENSING SUB COMMITTEE
DATE:	WEDNESDAY 21 DECEMBER 2023

AGENDA ITEM NO:		WARD(S) AFFECTED:	CHIPSTEAD, KINGSWOOD & WOODMANSTERNE
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SUBJECT:	APPLICATION TO VARY THE EXISTING PREMISES LICENCE FOR: GRAPE VARIETY, 12 CHIPSTEAD STATION PARADE, CHIPSTEAD SURREY CR5 3TE
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PURPOSE OF THE REPORT:	TO DETERMINE THE APPLICATION
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OPTIONS

The Committee having had regard to the representations received may take such steps as it considers appropriate to promote the licensing objectives from the following options:

1. To grant the application as submitted
2. To modify the conditions of the licence.
3. To reject the whole or part of the application

The Committee has authority to determine the above options.

Background

1. An application to vary the existing premises licence has been received from Mr Thomas Johnson, St Elmo 10 Sanderfield Gardens, Banstead Surrey SM7 2DQ.
2. This application was received on 26 October 2023 and seeks to increase the licensed area into the basement of the premises. The plan shows the proposed seating area. The application is included at Annex 1 to this report, and the current licence 18/08598/LAPREM at Annex 2
3. A location plan of the premises is attached at Annex 3

Agenda Item 5

Application Summary

4. A previous application applied to vary the license to include on sales on the shop floor. This application seeks to extend the licensed area into the basement, which was previously used only for consumption, to facilitate both on and off sale in that area.
5. Council officers are satisfied that the application has been correctly made and advertised in accordance with the statutory requirements;
 - pale blue notices of no less size than A4 containing a brief summary of the application was displayed at the premises by the applicant.
 - a notice was published within 10 working days of the application being made, in the Surrey Mirror on Thursday 9 November 2023.

Representations

6. No representations were received from responsible authorities.
7. One representation was received from an interested party. The relevant part of the representation refer to potential noise and public nuisance created by the increase in the number of persons able to frequent the premises. The representation is reproduced in full at Annex 4.

Policy and Legal Considerations

8. Relevant to this application are section 8 of the Council's Statement of Licensing Policy – The Licensing Objectives, Section 149 Equality Act 2010 - Public Sector Equality Duty, Human Rights Act 1998. Licensing Act 2003; Part 2 Licensing Authorities (sections 4-6); Part 3 Premise Licences (sections 11-23); section 182 Home Office guidance; section 183 Hearings and other matters considered relevant on the facts.

Appeals Procedure

9. In cases where an application to vary a premises licence is either rejected or granted, in full or in part, an appeal may be made to the Magistrates Court within 21 days beginning with the day on which the appellant was notified of the decision. The rights of appeal are available to both the applicant, and to persons who made relevant representations.

Background Papers: None

Annex 1 Application

Agenda Item 5

Annex 2

Annex 3

Annex 4

Current licence REF: 18/08598/LAPREM

Location Plan

Interested party representations Aura Burghiu Chipstead Station Parade

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Vary a Premises Licence

Review

Please review the details to below to ensure they are correct before proceeding. If the details shown are not correct, click previous to enter the correct licence number.

Current Licence number

18/08598/LAPREM

Current Premises address

Essentially Wine 12 Chipstead Station Parade Chipstead
Surrey CR5 3TE

Premises Details

Premises Licence Number *

18/08598/LAPREM

Premises Address *

Essentially Wine 12 Chipstead Station Parade Chipstead
Surrey CR5 3TE

Telephone Number at Premises (if any)

Non-domestic rateable value of premises. * For further details on how to find the non-domestic rateable value of the premises please consult further guidance on the council's premises related licensing pages.

£ 7600

Type of Premises Licence Holder

Type of Premises Licence Holder *

Individual(s)

Premises Licence Holder - Individual

I/We being the premises licence holder, apply to vary a premises licence under section 34 of the licensing Act 2003 for the premises described.

Title *

Mr

Premises Licence Holder - Individual

First name *	Thomas
Surname *	Johnson
Street address *	st Elmo
	10 Sanderfield Gardens
Town/City *	Banstead
County	Surrey
Postcode *	SM7 2DQ
Daytime Contact Telephone Number	07702683466
Email *	thomas@thegrapevariety.com

Premises Licence Holder - Individual

I/We being the premises licence holder, apply to vary a premises licence under section 34 of the licensing Act 2003 for the premises described.

Title *	Mr
First name *	Adrian
Surname *	Pennelli
Street address *	7 Vincent Road
Town/City *	Coulsdon
County	Surrey
Postcode *	CR5 3DH

Premises Licence Holder - Individual

Daytime Contact Telephone Number

07972919172

Email *

adrian@thegrapevariety.com

Variation

Do you want the proposed variation to take effect as soon as possible? *

Yes

Variation

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see Guidance Note 1)*

No

Briefly describe the nature of the proposed variation. (Please see Guidance Note 2) *

New seating plan.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number.

Operating Schedule

Complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (please read guidance note 3) *

Plays

Films

Indoor Sporting Events

Boxing or Wrestling

Live Music

Operating Schedule

- Recorded Music
- Performances of Dance
- Anything of a similar description falling under Music or Dance
- Provision of late night refreshment
- Supply of Alcohol
- Plan Only

Declarations

Declaration Type *

Sole Applicant - Individual or Other

Declarations

I agree to pay the prescribed fee or I do not need to make payment of the fee because this application has been made in relation to the introduction of the late night levy. I understand that copies of this application and the plan will be sent to the responsible authorities and others where applicable. I understand I must now advertise my application. I agree that on receipt of the updated premises licence to destroy any and all previous versions of the licence. I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

Signature/Declaration of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see Guidance Note 13). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected.

Full Name *

Thomas Johnson

Date *

16/10/2023

Capacity *

Applicant

Declarations



Declaration made

Do you wish to provide alternative correspondence details? *

Email confirmation

On submission an email confirmation will be sent using the details below

Forename Surname /Company Name Email * Telephone

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PREMISES LICENCE

Premises Licence Number

R&BBC 18/08598/LAPREM

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Grape Variety
 12 Chipstead Station Parade
 Chipstead
 Surrey
 CR5 3TE

Telephone number

Where the licence is time limited the dates

-

Licensable activities authorised by the licence

Sale of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol – for consumption off the Premises

Monday - Saturday 08:00 - 23:00

Sunday 08:00 - 22:00

Sale of Alcohol – for consumption on the Premises

Every Day 11:00 - 22:30

The opening hours of the premises

Monday	08:00 - 23:00
Tuesday	08:00 - 23:00
Wednesday	08:00 - 23:00
Thursday	08:00 - 23:00
Friday	08:00 - 23:00
Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premises

Licence Granted : 25th October 2005

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The Grape Variety Ltd
21-23 Croydon Road
Caterham
Surrey
CR3 6PA

Applicants Electronic Mail [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 11135616

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Thomas Johnson

[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: [REDACTED]

Licensing Authority: [REDACTED]

Annex 1 – Mandatory conditions

1 Premises Licence, Sale of Alcohol permitted

No supply of alcohol may be made under this licence

- a. At a time when there is no designated premises supervisor in respect of it or,
- b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence."

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

1. A maximum of 16 chairs and four tables (moveable) will be placed within the licensed area after the start of the proposed 'On licensed' hours and then removed at the terminal hour for the sale of alcohol for consumption on the premises.
2. The applicant will ensure that all staff are trained in the requirements of the Licensing Act 2003. Training shall be undertaken on a regular basis and records of this training shall be retained at the premises for inspection by the Council or Police officers on request
3. The company will provide a compliance file at the premises to record the steps taken to meet the current premises licence conditions and other related matters.
4. Closed circuit Television System shall be installed and maintained at the premises, compliant with the Home Office Guidelines 2009. CCTV images shall be retained as long as is necessary and images shall be downloaded and handed to the Police as soon as practicable, subject to current data protection requirements.
5. An incident log shall be maintained at the premises and made available for inspection by the Council or Police officers on request.
6. The premises licence holder shall maintain a telephone number to facilitate communications with any person who wishes to discuss the operation of the premises licence at the time of any issue arising.
7. Notices shall be displayed requesting customers to respect the neighbours when leaving the premises.
8. A "Challenge 25" policy shall be in place at the premises. Posters advertising the policy shall be displayed in prominent positions inside the premises.
9. A refusal register (in electronic or paper format) shall be in use at the premises to record any refusals to sell alcohol and made available for inspection by the council or Police officers on request.

Embedded Restrictions

1 Off Licence

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d. On Good Friday, 8 a.m. to 10.30 p.m.

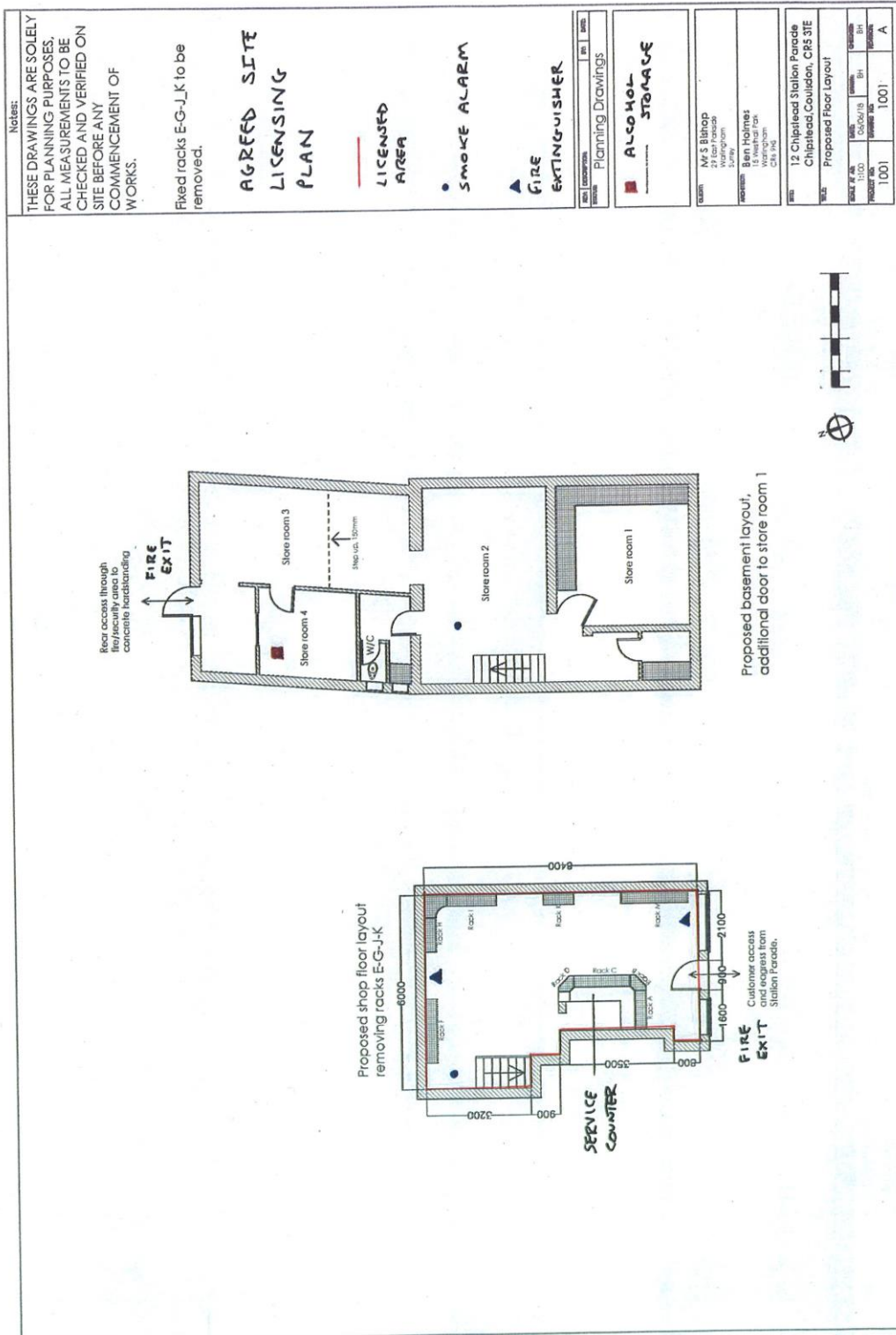
The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

Annex 3 – Conditions attached after a hearing by the licensing authority

N/A

Annex 4 – Plans






12 Chipstead Station Parade, Chipstead, Surrey CR5 3TE

Scale: 1:354 Date: 2023-12-08 13:07:33

User: Paul.Morey@reigate-banstead.gov.uk

Castlefield Road
Reigate Surrey
RH2 0SH



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



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Sent: 13 November 2023 10:36

To: Licensing <Licensing@reigate-banstead.gov.uk>

Subject: Opposition to variation of premises - 12 Chipstead Station Parade -FW to DM and PM

To: Licensing Department

Reigate & Banstead BC

Town Hall

Castlefield Road

Reigate

RH2 0SH

Dear Licensing Officer,

I am writing to express my strong opposition to the application for a variation of The Grape Variety Premises on 12 Chipstead Station Parade, Chipstead, CR5 3TE, submitted by Mr Thomas Johnson. My concerns are as follows:

I was unaware of the initial license approval, and as result I did not have the opportunity to voice my concerns. Despite attempting to retrospectively oppose the license as per your instructions (Licensing@reigate-banstead.gov.uk) sent on 28th September 2020, my attempts to contact the license line officer were ignored, denying me the chance to address my grievances.

-

- The noise level from the bar is already unbearable and has adversely affected my ability to sleep. This disturbance had led me to seek medical attention in the past, including visits to my GP and the use of sleeping tablets. The extension of the premises would exacerbate this issue, further compromising not only my well-being but that of other people living around 12 Chipstead Station Parade

- The patrons leaving the bar are often loud and disruptive, extending well beyond the permissible hours, especially during weekends. This disrupts the tranquillity of the neighbourhood and hampers everyone's ability to enjoy a peaceful living environment. I previously reported this through the noise app , as advised by the council.

- The persistent noise compelled me to frequently seek refuge at other family and friends and not being able to enjoy my own living space. The noise is often so loud that I cannot switch off or listen to anything else indoors.

- I would like to bring to your attention that the situation has worsened with the bar's decision to work with pop-up catering businesses such as pizzerias on Thursday, that prepare their food on fire right under my window. This has given rise to increased health and safety issues due to smoke entering my flat. The windows are now fumigated and blackened, causing occasions where I find it challenging to breathe. The introduction of this additional disturbance further adds to the already compromised living conditions.

In conclusion, the extension of the bar premises would undoubtedly exacerbate the personal issues I am already facing due to the existing disturbances. I urge you to consider the negative impact on my quality of life and the well-being of the neighbourhood before approving this extension. Elderly people and also family with very young children live next to the bar and the quality of our lives is diminished.

Thank you for your attention to this matter. I trust that you will carefully weigh the concerns raised and make a decision that prioritises the welfare of the community.

A hard copy of this letter has been also sent to the Reigate address above.

Sincerely,

Aura Burghiu

Chipstead Station Parade

Chipstead

CR5 3TE