



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

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

<b>AGENDA ITEM NO:</b>		<b>WARD(S) AFFECTED:</b>	CHIPSTEAD, KINGSWOOD & WOODMANSTERNE
------------------------	--	--------------------------	--------------------------------------

<b>SUBJECT:</b>	APPLICATION TO VARY THE EXISTING PREMISES LICENCE FOR: GRAPE VARIETY, 12 CHIPSTEAD STATION PARADE, CHIPSTEAD SURREY CR5 3TE
-----------------	---

<b>PURPOSE OF THE REPORT:</b>	TO DETERMINE THE APPLICATION
-------------------------------	------------------------------

### 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

## **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

Annex 2  
Annex 3  
Annex 4

Current licence REF: 18/08598/LAPREM  
Location Plan  
Interested party representations Aura Burghiu Chipstead Station  
Parade