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7th September 2005

To: The Members of the **ADJUDICATION SUB-COMMITTEE**
(Three members of the Licensing Committee, being Councillors Bruce Mansell, Patricia Pinder and Bryan Ward (Councillor Chris Pitt substitute))

Dear Councillor

A meeting of the **ADJUDICATION SUB-COMMITTEE** will be held at Surrey Heath House on Thursday, 15th September 2005 at 2.00pm. The agenda will be as set out below.

The quorum of this Sub-Committee is 3. All appointed members must be present for the whole of the hearing.

Please note that this meeting will be recorded.

If the application or all representations made in respect of the application are withdrawn, the meeting will not take place.

Yours sincerely

BARRY R CATCHPOLE

Chief Executive

AGENDA

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1. ELECTION OF CHAIRMAN	-
2. LICENSING ACT 2003	1

Following the receipt of representations to consider the following application: Que Pasa, High Street, Camberley.

As part of the Council's agreed hearing procedure, the Chairman will invite declarations of interest.

Members who have a prejudicial interest in the application will not be able to take part in its consideration and would be advised not to participate if they have a personal interest. Members who consider they may have an interest MUST consult the Monitoring Officer or the Committee Administrator prior to the meeting as the meeting cannot proceed without all members being present.

Members are invited to declare that they do not have a personal or prejudicial interest.

LICENSING ACT 2003

Following receipt of representations the Sub-Committee is required to consider the following application.

QUE PASA, HIGH STREET, CAMBERLEY

Type: Premises Licence - Application for a Conversion/Variation

1. Description of Premises:

(as detailed by the applicant in the application form)

Bar with facilities for sale and consumption of alcohol and provision of late night refreshment and regulated entertainment as shown on the plans accompanying this application.

This premises also has the benefit of a Children's Certificate.

2. Licensable Activities Currently Permitted:

Consumption of Alcohol On Premises
Consumption of Alcohol Off Premises
Provision Of Late Night Refreshment
Similar Entertainment Facilities
Dancing
Making Music
Similar Regulated Entertainment
Performance of Dance
Live Music
Recorded Music

3. Time Limits on Current Licence(s):

The sale of alcohol. The limitations set down in Section 60(1) of the Licensing Act 1964 as modified by any Order under Section 60(4) of the Licensing Act 1964 together with variations of those limitations as provided by the exceptions set down in Section 63 of the Licensing Act 1964.

Regulated Entertainment permitted in accordance with the Entertainment licence attached.

Recorded Music: Pursuant to the entitlement of Section 182 Licensing Act 1964 no limitations as to the hours

Late Night Refreshment: Until 30 minutes after the end of alcohol permitted hours.

4. Conditions Subject To Which Existing Licence Has Been Granted

(as detailed by the applicant in the application form)

The conditions (if any) set out on the attached Justices' Licence together with the conditions set out and referred to in the Public Entertainment Licence attached including any standard conditions. There are no other conditions attaching to the Justices's Licence although it is subject to the statutory rights and obligations given and imposed by the Licensing Act 1964.

5. Variation Sought:

(as detailed by the applicant in the application form)

To extend the provisions of regulated entertainment, late night refreshment and the sale of alcohol as follows:

Monday and Tuesday 1000 hours to 2300 hours/ Wednesday to Saturdays 1000 hours to 0130 hours the morning following/and on Sundays from 1100 hours to 0030 hours the morning following. On Thursdays, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends and on event days from 1000 hours until 0200 hours the morning following. For those hours that coincide with the period of half an hour before, during and one hour after the broadcast of any live international sporting event shown at the premises.

2. To remove all embedded restrictions imposed on the use of the premises pursuant to paragraph 6(8) of the eighth Schedule to the Licensing Act 2003.

6. Terms or Restrictions to be Removed

(as detailed by the applicant in the application form)

To remove the embedded restrictions imposed pursuant to para 6(8) Schedule 8 of the Licensing Act 2003.

7. Promotion of Licensing Objectives

(as detailed by the applicant in the application form)

General

The proprietors have identified the additional measures below in addition to the usual standards operating at these premises.

The Prevention of Crime and Disorder

1. Cooling down period of 30 minutes after last sales of alcohol when music will have been turned off.
2. During televised sporting events ensure that table service is provided.

Public Safety

1. The premises are already maintained to the appropriate standard.

This is the existing policy.

The Prevention of Public Nuisance

1. Ensure music is turned down to background level at least 30 minutes before closing time.
2. Ensure windows closed by 2300 hours.
3. Members of staff to ask customers to leave quietly at closing time.
4. Signs to exit reminding customers to leave quietly.
5. Soft drinks and/or hot drinks such as coffee to be available during cooling down period.
6. Ensure that all plant/machinery continues to be serviced.

The Protection of Children From Harm

1. All bar staff are trained regarding under age sales. Records of such training are recorded.
2. Parents to ensure that children are properly supervised.

8. Relevant Representations

Representations have been received from Police and one other interested party. Copies of these representations are attached at Annexes C and D respectively. These representations are relevant to the Prevention of Crime and Disorder and Public Safety licensing objectives.

9. Policy Considerations

Paragraphs 18 - 48, 54 - 64, 72 - 78, 79 - 96, 150 - 157 of the Council's Licensing Policy Statement are applicable to the consideration of this application. These paragraphs are set out in Annex B.

10. Attachments:

Conversion/ Variation Application - Annex A

Relevant paragraphs of the Council's Licensing Policy Statement - Annex B

Representations from Police - Annex C

Representations from one interested party - Annex D