



## PRESS RELEASE

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### Special Ops Appeal

HM Government of Gibraltar welcomes the judgement delivered on Friday, 7th April by Stipendiary Magistrate Charles J Pitto in relation to the appeal by Joseph Blythe Reeve against the decision of the Business Licensing Authority's (BLA) to grant Mr Reeve a business licence subject to certain conditions.

On 13th July 2016 Mr Reeve was granted a licence to carry out laser tag activities by the BLA. The licence was granted subject to conditions following representations made to the BLA by the Royal Gibraltar Police (RGP), the Gibraltar Tourist Board and the Department of the Environment and Climate Change. The conditions included safety concerns regarding the staging of war games in public areas in the current security climate, the need to give notice about such activities in advance to the RGP and the need to obtain adequate authority in advance from the relevant Government departments before carrying out laser tag activities in public areas.

The Stipendiary Magistrate, having considered the application afresh as a de novo hearing in court, came to broadly the same conclusions as the BLA and similarly granted Mr Reeve a business licence subject to conditions. The Government notes that these conditions have the same practical effect as the original conditions imposed by the BLA.

In his Judgement Mr Pitto stated: "The public is entitled to the quiet enjoyment of public land and if a proposed business interferes with this then the public interest is engaged. It should be possible to take children to the Upper Rock or Europa Point without them having to compete with or be alarmed by, adults to young adults excitedly running around lasering each other or by their being surrounded by battlefield noises. Similarly the use of pyrotechnics and the releasing of smoke canisters would be interference as well as creating a danger. However carefully Mr Reeve plans his activity, however well he advertises events, however many banners and flags he displays, however many laser tag caps and tabards are worn, there is an unavoidable tension between the public's right to quiet enjoyment and Mr Reeve's right to carry out his business activity. It cannot be right that only self-restraint and common sense prevent Mr Reeve or anyone else in a similar position from holding an event through Main St. Yet that could be the effect of granting an unconditional licence."