

## LICENSING PANEL SUB-COMMITTEES

TUESDAY, 23 AUGUST 2016

PRESENT: Councillors John Collins, Jesse Grey and Phillip Bicknell

Also in attendance: Councillor Maureen Hunt, Ben Ebbetts (applicant)

Officers: Tanya Leftwich, Andy Carswell, Steve Smith and Roxana Khakinia

### APPOINTMENT OF CHAIRMAN

**RESOLVED: That Councillor Grey be elected as Chairman for the duration of the meeting.**

### APOLOGIES FOR ABSENCE

Apologies for absence were noted from members of White Waltham Parish Council. It was agreed that Cllr Hunt, as Ward Member, would make representations on their behalf.

### DECLARATIONS OF INTEREST

No declarations of interest were noted.

### CONSIDERATION OF APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003

The Chairman welcomed all parties to the meeting and explained the procedure for the meeting. He reminded all parties that the proceedings were being audio recorded.

The Council's Licensing Officer, Steve Smith, introduced the application for Members to consider. He explained that the application was for a Premises Licence for the Stardust Brewery Ltd, based at Unit 5, Howe Lane Farm Estate, Howe Lane, White Waltham, SL6 3JP. Mr Smith said that the applicant had applied for a Premises Licence permitting the sale of alcohol on and off the premises between the following hours:

- Monday - Wednesday: 09:00-18:00
- Thursday – Saturday: 09:00-22:00
- Sunday: 11:00-16:00

Mr Smith said that the site would be operating as a microbrewery and that the applicant also wished to operate a retail outlet at the site. He explained that it was the retail outlet that formed the basis of the application being considered by Members.

Mr Smith informed Members that he had visited the site on the day of the Sub-Committee hearing. He described the location as very rural and said there was a house relating to the industrial unit next door, and two residential houses directly opposite but set back from the road. An aerial view map, which pointed out the location of the site, was handed out to Members by Mr Smith.

Mr Smith stated that he had not received any representations from any of the responsible authorities. Although a Planning Officer had responded, this was outside of the 28 day notification for comments and could therefore not be considered by Members.

The Sub-Committee was reminded that it could:

- Grant the application as requested
- Modify the proposed conditions, activities or hours of the licence, by altering or omitting or adding to them
- Reject the whole or part of the application.

The Sub-Committee was reminded that the determination of the application had to be made with regards to the licensing objectives, which were:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

#### Questions to the Licensing Officer

Cllr Bicknell asked if the objectors had suggested an alternative closing time on Thursdays, Fridays and Saturdays. Mr Smith replied that no suggestions had been offered.

#### Applicant's case

Ben Ebbetts introduced himself as one of the directors at Stardust Brewery. He said that he and his father had set up the company and would primarily be brewing ales and craft beers. Mr Ebbetts said that although the majority of the company's produce would be for wholesale, it was hoped that there would be a small retail area at the microbrewery in order to sell to customers.

Mr Ebbetts explained that the company was applying to sell alcohol until 10pm on Thursdays, Fridays and Saturdays as it hoped to operate small tours of the brewery, allowing visitors the opportunity to learn about the microbrewing process and sample some of the ales produced on site.

Mr Ebbetts told the Sub-Committee that measures had been put in place that would allow Stardust to meet the four licensing objectives, and minimise all risks as far as was possible. He said that regular risk reviews of the premises had been proposed.

#### Objector's case

Cllr Hunt (Ward Councillor for Hurley and the Walthams) explained that she was raising her own concerns, as well as those expressed by White Waltham Parish Council, to the Sub-Committee. She said that, although the Parish Council wanted to encourage a new business to the area, concerns had been raised over the 22:00 closing time on three nights of the week.

She stated that the rural location of the site meant it was at risk of burglary, particularly at night during the winter. She also questioned why it was necessary for the brewery to remain open until 22:00 to allow visitors to tour the premises.

#### Questions to the Objectors

The applicant indicated that he had no questions for Cllr Hunt.

#### Questions to the Applicant

In response to questions, the following points were made:

- That the applicant had made a conscious decision to set up business at the location in question.

- That the site's landlord had never raised any concerns in relation to security at the location.
- That the site was covered by CCTV and the premises were protected by steel shutters and gates, which were locked outside of business hours.
- That being granted a licence to remain open until 22:00 on certain days would allow greater flexibility in terms of being able to host events and tours.
- That the site would perhaps host only one tour per week.
- That tours would generally start at 18:00-19:00, with a view to closing the premises at 22:00.
- That there was no intention to start tours at 22:00.
- That there were two public houses, the Royal Oak and the Bridge House, nearby. They had licences to sell alcohol until 00:00 and 01:00 respectively on weeknights, and Licensing had not been made aware of any objections to their opening hours.
- That full training of staff in relation to the four licensing objectives would be undertaken.

### Objector's Summary

ClIr Hunt said she could see no reason why the premises needed to remain open until 22:00 on weeknights, as tours could still take place at the weekend. She reiterated her concerns at the 22:00 closing time.

### Applicant's Summary

Mr Ebbetts said a 22:00 closing time on three nights of the week would allow for greater flexibility in terms of hosting events and tours. He said that regular risk assessments would be carried out to ensure adherence to the licensing objectives, and stated that he could not see why the nature of the business would lead to an increase in crime and disorder.

### Licensing Officer's Summary

Mr Smith summarised by stating that the area of concern related to the proposed 22:00 closing time. He said that the applicant had submitted an operating schedule outlining how they would promote the four licensing objectives.

### Decision

After careful consideration the Sub-Committee decided that the Premises Licence should be granted.

**RESOLVED: That the Premises Licence should be granted, subject to the following conditions:**

#### **Prevention of Crime and Disorder:**

- 1. CCTV to be maintained to Thames Valley Police standards**
- 2. Provision of a recording facility to allow copies to be made upon request by Thames Valley Police, employees and/or authorised persons (as defined by section 13(2) of the Licensing Act 2003) and for the DPS and Management Team to be trained in downloading and providing such images upon reasonable request from such relevant agencies. CCTV images are to be kept for 31 days**
- 3. The building to be securely locked and alarmed when unoccupied**

#### **Public Safety:**

- 4. Regular risk assessments to be carried out**

5. A first aid box to be on the premises at all times, and kept in an easily identifiable and accessible place
6. Fire alarms to be fitted throughout the premises and regularly tested
7. Working areas to be clearly marked and segregated where appropriate

**Prevention of Public Nuisance:**

8. Noise, traffic and litter levels to be monitored and reviewed regularly
9. Parking measures to be regularly monitored

**Prevention of Children from Harm:**

10. A requirement of all visitors who appear under the age of 25 to show ID, and staff to receive training on communicating which patrons have proved their age
11. Alcohol to be locked away or guarded by a member of staff during opening hours

**General:**

12. Staff to be trained on the understanding and awareness of the four licensing objectives, and to receive training on measures that will prevent the breach of the objectives

The meeting, which began at 10.00 am, finished at 11.06 am

CHAIRMAN.....

DATE.....