

LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

WEDNESDAY, 28 JULY 2021

PRESENT: Councillors John Baldwin, Phil Haseler and Sayonara Luxton

Also in attendance:

Officers: Sarah Conquest, Roxana Khakinia and Shilpa Manek

APPOINTMENT OF CHAIRMAN

RESOLVED UNANIMOUSLY: that the Chairman for the Sub-Committee be Councillor Haseler.

APOLOGIES FOR ABSENCE

No apologies for absence had been received.

DECLARATIONS OF INTEREST

No declarations of interest were received.

PROCEDURES FOR SUB COMMITTEE

The Chairman went through the procedures for the Sub-Committee to follow. These were noted by all.

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

The Reporting Officer presented the application.

The application was to:

1. To Licence a Private Limited Company based inside unit 3 of Windsor & Eton Brewery. Located within a locked room with no public access and no boundaries to building extremities. The room would be locked when not in use.
2. Online only alcohol business, there would be no alcohol consumption on or near the premises relating to The Drink Creators.

A summary of the application is as follows:

- Supply of alcohol OFF the premises Monday to Sunday 06:00 – 22:00

The Designated Premises Supervisor (DPS) would be Mr Robert Morrison.

Where, as Here, Relevant representations had been made, the licensing authority must hold a hearing to consider them, unless agreed by the parties.

The licensing sub-committee could take steps as were appropriate for the promotion of the Licensing Objectives as relevant.

To be “relevant”, the representation had to relate to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives which were set out in the Licensing Act 2003.

The four licensing objectives are;

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

In this case no representations were received from the responsible authorities; Environmental Health, RBFRS, Planning Officer, Local Safeguarding Children's Board (LSCB), Public Health, Trading Standards, Thames Valley Police and RBWM Licensing.

Representations were received from one other persons, a resident (Appendix C).

The Reporting Officer informed the Sub-Committee of their options.

No questions were asked to the Reporting Officer.

Applicants Case:

The applicant informed the Sub-Committee that the business was only online, it would cause minimal traffic or disruption and would not change anything or effect anyone in the area.

The applicant was working with DHL couriers and was meeting all other regulations in the industrial estate.

No questions were asked to the Applicant.

The Reporting Officer reminded the Sub-Committee that it was obliged to determine the application with a view to promoting the four licensing objectives which are:

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

In making its decision, the Sub Committee was also obliged to have regard to national guidance and the Council's own Licensing Policy. The Sub-Committee must have regard to all of the representations made and the evidence that it heard.

The Sub-Committee must, having regard to the application and to the relevant representations, take such step or steps as it considered appropriate for the promotion of the licensing objectives.

The steps were:

- (a) Reject the application;
- (b) Refuse to specify a person in the licence as the premise's supervisor;
(*Note – not all of these will be relevant to this particular application)
- (c) Grant the application but modify the activities and/or the hours and/or the conditions of the licence;
- (d) Grant the application.

Where conditions are attached to a licence then reasons for those conditions must be given.

The Sub-Committee were reminded that any party to the hearing may appeal against the decision of the Sub-Committee to the Magistrates' Court within 21 days of the notification of the determination.

Decision:

After careful consideration of all the evidence, the Sub-Committee decided to allow the application as applied for.

The Sub-Committee considered the written submissions provided by the applicant, Officers of the Council and objectors. The Sub-Committee also heard oral evidence provided from Greg Nelson, the Reporting Officer at RBWM and Mr Toby Morrison, Director of Drink Creators.

In making their decision, the Sub-Committee had regard to its duty to promote the four licensing objectives.

The meeting, which began at 2.00 pm, finished at 2.45 pm

CHAIRMAN.....

DATE.....