

LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

WEDNESDAY, 29 SEPTEMBER 2021

PRESENT: Councillors John Baldwin, Gurpreet Bhangra and David Cannon

Also in attendance:

Officers: Craig Hawkings, Roxana Khakinia and Oran Norris-Browne

APPOINTMENT OF CHAIRMAN

Councillor Baldwin proposed that Councillor Cannon be Chairman of the Sub-Committee. This was seconded by Councillor Bhangra.

RESOLVED UNANIMOUSLY: that Councillor Cannon be Chairman of the Sub-Committee

APOLOGIES FOR ABSENCE

No apologies for absence had been received.

DECLARATIONS OF INTEREST

Councillor Cannon declared that he was the ward Councillor for the area that the application was in.

PROCEDURES FOR SUB COMMITTEE

The Clerk went through the procedures that the Sub-Committee would follow. These were noted by all present.

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 an historical landmark premises and grounds operated as a meeting / conferencing and events venue. Set in a prime location surrounded by a centuries old moat and situated within beautiful manicured just off the M4 and 10 Minutes from Heathrow Airport. There were 15 function rooms which could accommodate up to 330 delegates, a permanent marquee was also available, which had a capacity of 1050.
2. The premises had the benefit of an existing premises licence which also covered the botanica offices of CBRE – PL060139. This licence will be a stand-alone licence for White Rabbit Events Limited

A summary of the application is as follows:

- Performance of Plays (Indoor and Outdoor): Monday – Sunday 10am – 1am
- Showing of Films (Indoor and Outdoor): Monday – Sunday 10am – 1am
- Live Music (E) (Indoor and Outdoor): Monday – Sunday 10am – 1am

- Recorded Music (F) (Indoor and Outdoor): Monday – Sunday 10am – 1am
- Performances of Dance (Indoor and Outdoor): Monday – Sunday 10am – 1am
- Anything of a similar description to that falling within e,f or g. Race Nights and Similar (Indoor and outdoor): Monday – Sunday 10am – 1am
- Late Night Refreshments (Indoor and Outdoor): Monday – Sunday 10am – 1am
- Supply of Alcohol (On and Off the premises): Monday – Sunday 10am – 1am

The designated premises supervisor (DPS) is stated as being Julia Chapman.

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 and Public Space Protection Order 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 are 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 had been 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.

Two representations had been received from other persons which were in Appendix C.

The Reporting Officer went through the options that the Sub-Committee had.

Questions to the Reporting Officer from Members:

The Chairman asked if there were any differences between this information and the information from the previous application, apart from the DPS and company name.

Craig Hawkings confirmed this to be correct.

Councillor Baldwin asked if the name on page 53 should read White Rabbit instead of Ditton Manor.

Craig Hawkings confirmed this.

Questions to the Reporting Officer from Applicants:

Sally Hills, Applicant's representative, stated that the representation from Mr Gomersal is for this application solely.

Questions to the Applicant from Members:

Councillor Baldwin asked with reference to page 49, if the applicants are obliged to give notice to Mr Gomersal regarding firework displays.

Sally Hills confirmed that they were not obliged, however out of courtesy they inform local residents through methods such as notices through letterboxes.

Councillor Bhangra asked Julia Chapman if they had held a premises license before and if Julia Chapman had been a DPS before and if so for how long.

Julia Chapman confirmed both and noted that she had been a DPS for 2-3 years.

Objectors Case:

The objectors were not present. The written submissions were considered by the Sub-Committee.

Questions to the Applicant from the Reporting Officer:

No questions were asked.

Summary from the Applicant:

The Applicants representative had said all that needed to be considered.

Summary from the Reporting Officer

The Reporting Officer reminded the Sub-Committee that it was obliged to determine this 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. Of course, the Committee must have regard to all 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 were 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.

The Chairman thanked applicants, officers, and the panel and informed that a decision would be delivered in writing within 5 working days.

Decision:

After careful consideration of all the evidence, the Sub-Committee decided to allow the application as applied for, subject to the updated conditions by Thames Valley Police, Trading Standards and Environmental Health.

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 Craig Hawking's, the Reporting Officer at RBWM, Sally Hills, Applicant's representative, Robert Lees, DPS and Julia Chapman, White Rabbit Events Limited.

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 2.20 pm

CHAIRMAN.....

DATE.....