

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 8 NOVEMBER 2023

Present: Cllrs Derek Beer, Les Fry and Andrew Starr

Also present: Helen Moody (Applicant for C Side), Mark Banham (Applicant for Bride Valley Wines)

Officers present (for all or part of the meeting):

Elaine Tibble (Senior Democratic Services Officer), Philip Crowther (Legal Business Partner - Regulatory), Kathryn Miller (Senior Licensing Officer) and Lindsey Watson (Senior Democratic Services Officer)

108. **Election of Chairman and Statement for the Procedure of the Meeting**

Proposed by Cllr Beer, seconded by Cllr Starr.

Decision: that Cllr Les Fry be appointed Chairman for the duration of the meeting.

109. **Apologies**

Apologies for absence were received from Cllr Mike Dyer, substituted by Cllr Derek Beer

110. **Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

111. **Urgent items**

There were no urgent items

112. **New premises licence application for C Side 8 Pope Street, Brewery Square, Dorchester**

The Senior Licensing Officer presented the report which sought a new premises licence for C Side, 8 Pope Street, Brewery Square, Dorchester for:

Live and recorded music (indoors)

Monday to Saturday 1200-2300 hours

Sunday 1200-2200 hours

and
Supply of alcohol (on and off the premises)
Monday to Saturday 1200-2300 hours
Sunday 1200-2200 hours

The Sub-committee were reminded of the permissions contained within the Live Music Act 2012.

Correspondence between Environmental Health Officers, Dorset Police, other interested parties and the applicant were attached as appendices to the report and the options available to the committee were highlighted.

There were no questions from the Sub-committee or the applicant.

The applicant presented her case and gave the Sub-committee information about the background to the business, which had started off selling records from a van at festivals which had led to the occupation of premises in Brewery Square, known as Vinyl Van, where she had held a licence for over a year. The business worked with the community and the license had been requested to supplement income for the business by holding an occasional evening gathering and the applicant was keen to work in harmony alongside neighbouring residents.

In response to member questions, the applicant advised that they had a lot of volunteers who help in the shop and most people who attended their events were friends and people known to them. The maximum capacity of the venue was 60 and the applicant was mindful of the layout of the neighbours' properties, especially where smoking and vaping outside was concerned. In relation to the request for off sales, this was to allow the sale of mulled cider or similar offerings when there were events, such as the switching on of Christmas lights, taking place in Brewery Square. There had been no trouble at the venue, however, there was security on site at Brewery Square should it be required.

All parties were given the opportunity to sum up prior to the committee retiring to make their decision.

Decision: that a Premises Licence be **GRANTED** with the usual mandatory conditions, the condition agreed between the applicant and the Dorset Police and the conditions added by the Licensing Sub-committee as set out below, to permit the following:

Live and recorded music (indoors):
Monday to Saturday 1200 – 2300 hours
Sunday 1200 – 2200 hours

Sale of alcohol (on and off the premises):
Monday to Saturday 1200 – 2300 hours
Sunday 1200 – 2200 hours

Conditions consistent with the Operating Schedule

1. The Licensee will keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national

insurance number of each person so authorised. The staff record shall be made available for inspection by the Licensing Officer, Trading Standards or the Police.

2. The Licensee will adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.

The Licensee to prominently display notices advising customers of the "Challenge 25" policy.

The following proofs of age are the only ones to be accepted:

- a. proof of age cards bearing the "Pass" hologram symbol
- b. UK photo driving licence
- c. Passport

3. The occupancy shall be restricted to 60 persons in the premises.
4. Children under the age of 12 must be accompanied by an adult.
5. All children under the age of 12 shall vacate the premises by 2200 hours.

6. The licence holder will keep a register of refused sales of all age- restricted products (Refusals Book).

The refusals book will contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the sales person refusing the sale.

The Refusals book will be examined on a regular basis by the Licensee and date and time of each examination to be endorsed in the book.

The Refusals Book will be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

Condition agreed between the applicant and Dorset Police

7. The designated premises supervisor will ensure that each member of staff authorised to sell alcohol has received adequate training on the Licensing Act 2003 in respect of sales to those who appear underage and those who appear to be intoxicated.

Condition added by the Licencing Sub-Committee

8. A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.
9. The Premises Licence Holder shall take steps to ensure that customers do not congregate outside the premises so as to cause a public nuisance.

Comfort Break 10:58 – 11:00

113. New premises licence application for Bride Valley Wines Ltd, Litton Cheney, Dorset

The Senior Licensing Officer presented the report for the application of a new premises licence for Bride Valley Wines Ltd, to supply alcohol on and off the premises, Monday to Sunday 1000-2200 hours.

There had been one public representation which contained some matters which were material considerations under planning but did not relate to the four Licensing Objectives.

The Sub-committee were reminded of the options available in making their decision.

There were no questions for the Senior Licensing Officer and the applicant was invited to present his case.

The applicant informed the Sub-committee that he had spent his whole professional life in the wine trade and owned a number of businesses. He had held a personal licence since 2005 with no issues. Having recently purchased the Bride Valley Vineyard in Litton Cheney he was keen to continue the good reputation held by the previous owner. The intention for the vineyard was to offer tours, wine tasting and the opportunity to buy produce from the shop.

In response to member questions the applicant explained the proposed model of the business, offering tours of approximately 15 people followed by a tasting of maybe 3 wines. The applicant had no intention of having parties, hen/stag dos, there was an extensive outlet for the wines and ciders, the tours were just to supplement income and offer a good social media presence.

The applicant had not carried out any formal consultation with neighbours and conceded that it may have been an oversight not having a conversation with the neighbour to the side of the vineyard.

The applicant did not envisage any noise or anti-social behaviour arising from the vineyard and was doubtful that the business would stay open until 10pm and therefore had no problem curtailing the hours applied for.

Following the opportunity for members and the Senior Licensing Officer to ask questions all parties were invited to sum up.

The Legal Business Partner, Regulatory highlighted the duty to have regard to the location of the premises in the AONB and if members felt appropriate to condition the keeping of records for staff training and ensure noise in Litton Cheney was kept to a minimum.

The Sub-committee retired to make their decision.

Decision: That a Premises Licence be GRANTED with the usual mandatory conditions, consistent with the Operating Schedule and the conditions added by the Licensing Sub-Committee as set out below, to permit the following:

Sale of alcohol (on and off the premises)

Monday to Sunday 1000-2200 hours

Conditions consistent with the operating schedule

1. A CCTV system shall be installed at the premises.

The CCTV system shall be maintained in working condition and record the premises 24 hours every day.

Recordings to be retained for a minimum of 28 days and be made available to the Police or officers of the Council upon request and be of evidential quality.

The equipment must have a suitable export method i.e. CD/DVD/USB facility so that the Police and officers of the Council can make an evidential copy of the data they require.

This data should be in the native file format to ensure that no image quality is lost when making the copy.

If this format is nonstandard (i.e. manufacturers proprietary), then the licence holder shall within 14 days of being requested supply the replay software to ensure that the video on the CD can be replayed by the Police and officers of the Council on a standard computer.

Copies must be made available to the police and officers of the Council upon request.

Staff working at the premises will be trained in the use of the equipment and a log will be kept to verify this.

Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises, i.e. capable of identification.

There shall be signs displayed in the customer area to advise that CCTV is in operation. Should the CCTV become non-functional this will be reported immediately to the Licensing Authority.

2. The Licensee will adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.

The Licensee to prominently display notices advising customers of the "Challenge 25" policy.

The following proofs of age are the only ones to be accepted:

- proof of age cards bearing the "Pass" hologram symbol
- UK photo driving licence
- passport

Conditions added by the licensing sub-committee

3. The Licensee will ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept.
The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.
4. The premises Licence Holder shall ensure that glass bottles are not disposed of outside the licensed hours.

114. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 am - 12.30 pm

Chairman

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