

## LICENSING SUB-COMMITTEE

### MINUTES OF MEETING HELD ON WEDNESDAY 29 MARCH 2023

**Present:** Cllrs Mike Barron, Emma Parker and Sarah Williams

**Also present:** Adrien Peskin (Applicant for Woodshedding), Sally Ann Holt (Chair of Holwell Parish Council) and Mr Gent.

Steve Shield (Town Clerk Sherborne Town Council) and Cllr Jon Andrews.

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

Philip Crowther (Legal Business Partner - Regulatory), Kathryn Miller (Senior Licensing Officer), George Dare (Senior Democratic Services Officer), Hannah Massey (Lawyer - Regulatory) and John Miles (Democratic Services Officer Apprentice).

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

Proposed by Cllr Mike Barron, seconded by Cllr Sarah Williams

**Decision:** That Cllr Emma Parker elected as Chairman for the duration of the meeting.

**146. Apologies**

An apology for absence was received from Cllr Paul Harrison substituted by Cllr Mike Barron.

**147. Declarations of Interest**

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

**148. Urgent items**

There were no urgent items.

**149. New Premises Licence Application for Woodshedding Kings Stag**

The Senior Licensing Officer introduced the report to consider a new premises licence for Woodshedding Ltd, Kings Stag, the application was for a tap room and to permit regulated entertainment of a similar description to type E, F or G indoors or outdoors, Monday to Sunday from midday 23:00 hours and the sale of alcohol on and off the premises Monday to Sunday 12:00-23:00 hours.

The applicant informed the Committee that when the application was made, it was advised that he should apply for as many hours as possible and there was no intention to open from Monday to Sunday.

Cllrs asked questions regarding how the applicant planned to work with different organisations, the applicant's experience, the capacity of the premises, fire and food regulations, risk assessment of the building, disabled facilities, ventilation for the barn, whether he would agree to the Challenge 25 policy (rather than Challenge 21) and how the applicant planned to liaise with residents and the community.

The applicant informed the committee that due to naivety and in-experience in this area, he had not met with the Parish Council and other organisations. He ran a tap house for 3 months during lockdown., The premises when constructed has the capacity for 50-60 people and there will be disabled toilets and potentially a lowered bar area. The barn would be used mainly as a tap house and as an office.

The importance of engaging with the community was highlighted by councillors and the applicant assured that he would contact residents and the community when events were planned to be held and provide a contact number.

The representation from the Parish Council expressed concerns about noise and light pollution, outside seating, the close proximity of residents, music outside and antisocial behaviour.

Mr Gentt also addressed the Committee and had similar concerns to the Parish Council.

All parties were given the opportunity to sum up their cases prior to the sub-committee adjourning to make their decision.

#### **150. New Premises Licence Application for Pageant Gardens, Sherborne**

The Senior Licensing Officer introduced the report for a new premises application for Pageant Gardens. For regulated entertainment outdoors, plays, films, live and recorded music and performance and dance and anything of a similar description between the hours of 09.00 to 23.00 hours. The sales of alcohol are on the premises, Monday to Sunday, 10.00 to 23.00 hours.

Dorset Police requested conditions to be added to the licence if it is to be granted and the applicant has agreed to all conditions.

The committee was informed that the premises area had applied for Temporary Event Notices (TEN) in the past and had not received any concerns, comments, or objections from residents.

Steve Shield, Town Clerk on behalf of Sherborne Town Council, presented his case. Both Dorset Police and Fire Service supported the newly proposed license application with some conditions. This included the town council agreement to restrict all alcohol sales to 22.00 instead of 23.00. All other organisations would continue to apply separate for a TENS licence in relation to alcohol.

The committee was made aware that a new premises licence would give the town council the ability to accommodate a number of events taken place during the daytime and the evening such as, Sherborne Monthly Markets and Sherborne Town Band.

There are a permitted number of TENS licences that can be allocated to the location each year and a new licence would reduce administration time for the town council and Dorset Council.

The town council stated that it is mindful of its neighbouring residents and businesses and will ensure communication and notification is provided across the town.

Cllrs asked questions regarding the sale and control of alcohol.

The Town clerk responded to questions from Cllrs by adding that alcohol will be tightly controlled and risk assessments, appropriate documentation and legislation will be in place.

All parties were given the opportunity to sum up their cases prior to the sub-committee adjourning to make their decision.

#### 151. **Exempt Business**

Proposed by Cllr Sarah Williams, seconded by Cllr Mike Barron.

##### Decision

That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

##### **Woodshedding, King Stag**

###### **Decision:**

To GRANT a Premises Licence for a reduced site area and indoors only, together with the usual mandatory conditions, and the conditions consistent with the Operating Schedule, and the conditions added by the Licensing Sub-Committee as set out below, to permit the following:

###### **Anything of a similar nature to live and recorded music and dance performance (indoors):**

Monday to Sunday 1200 to 2300 hours

###### **Sale of alcohol (on and off the premises):**

Monday to Sunday 1200 to 2300 hours

-And

## **Conditions consistent with the Operating Schedule.**

1. Any instance of a criminal nature that occur on the premises must be reported to the Police.
2. The Premises Licence Holder shall carry out a risk assessment for the premises to ensure the safety of all people on the premises.

The risk assessment must be kept on the licensed premises and made available for inspection by a Licensing Officer, Trading Standards Officer or the Police. The Premises Licence holder must ensure that the risk assessment is complied with during any licensable activity.

3. The Premises Licence Holder shall ensure that an “incident report register” is kept in a bound book, in which full details of all incidents are recorded.
4. The Premises Licence Holder shall provide a contact telephone number, email address and Instagram contact for use by local residents by sending it to Holwell Parish Council. The telephone shall be staffed at all times that the premises are open. The Premises Licence Holder shall maintain a record of complaints, together with a summary of what action has been taken in respect of any complaints and any such record will be made available to the Licensing Authority on request.
5. 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 area quietly. The Premises Licence Holder shall ensure that a sufficient number of suitable receptacles are located in appropriate locations for the depositing of waste materials including food wrappings, drinks containers and smoking related litter by customers.
6. The Premises Licence Holder will adopt a “challenge 25” policy where all customers who appear to be under the age of 25 that attempt to purchase alcohol or other age-related products are asked for proof of their age.
7. The Premises Licence Holder shall prominently display notices advising customers of the “challenge 25” policy.
8. The Premises Licence Holder must keep a register of refused sales of all age-restricted products (Refusals Book).

## **Pageant gardens**

### **Decision:**

To GRANT a Premises Licence with amended hours, together with the usual mandatory conditions, and the conditions consistent with the Operating Schedule and the conditions added by the Licensing Sub-Committee as set out below, to permit the following:

**Plays (outdoors):**

Monday to Sunday 0900 to 2300 hours

**Films (outdoors):**

Monday to Sunday 0900 to 2300 hours

**Recorded and live music (outdoors):**

Monday to Sunday 0900 to 2300 hours

**Dance (outdoors):**

Monday to Sunday 0900 to 2300 hours

**Anything similar to music or dance (outdoors):**

Monday to Sunday 0900 to 2300 hours

**Sale of alcohol (on the premises):**

Monday to Sunday 1000 to 2200 hours

-And

**Conditions Consistent with the Operating Schedule.**

1. The Premises Licence Holder shall ensure that at all times when the premises is open for any licensable activity, there are sufficient competent staff on duty at the premises for the purposes of fulfilling the terms and conditions of the licence and preventing crime and disorder.
2. The Premises Licence Holder will ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regards to age-restricted products and that this has been properly documented and training records kept. The training record must be kept by the Premises Licence Holder at its office and made available for inspection by a Licensing Officer, Trading Standards Officer or the Police.
3. Any incidents of a criminal nature that occur on the premises must be reported to the Police.
4. The Premises Licence Holder shall carry out a risk assessment for the premises to ensure the safety of all people on the premises.

The risk assessment must be kept by the Premises Licence Holder at its offices and made available for inspection by a Licensing Officer, Trading Standards Officer or the Police. The Premises Licence Holder must ensure that the risk assessment is complied with during any licensable activities.

5. All exits must at all times be kept entirely free from any obstructions and from any article or substance which may cause a person to slip, trip or fall.

6. A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and to leave the premises and the area quietly.
7. The Premises Licence Holder will adopt a “challenge 25” policy where all customers who appear to be under the age of 25 that attempt to purchase alcohol or other age item restricted products are asked for proof of their age.
8. The Premises Licence Holder shall prominently display notices advising customers of the “challenge 25” policy.
9. The Premises 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 Premises Licence Holder and the date and time of each examination must be endorsed in the Refusals Book. The Refusals Book will be kept at the Premises Licence Holder’s offices and made available for inspection by the Licensing Officer, Trading Standards Officer or the Police.

#### **Conditions added by the Licensing Sub-Committee**

1. The Premises Licence Holder shall ensure that a “incident report register” is kept in a bound book, in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report is completed, and by whom, is to form part of the entry. The register is to be kept at the Premises Licence Holder’s offices at all times and shall be produced to a Licensing Officer, Trading Standards Officer, or the Police on request.
2. The sale of alcohol shall only take place during events at the licensed premises which are both authorised and managed by Sherborne Town Council.
3. The Premises Licence Holder shall carry out an assessment for each event regarding the need for SIA door staff/stewards. The assessment shall include the minimum number of door staff/supervisors required, where any such staff/stewards shall be stationed, what clothing or insignia they shall wear to identify themselves as door staff/stewards and whether any surveillance equipment, for example body worn video cameras, are required. The assessment must be kept at the Premises Licensed Holder’s offices for at least twelve months following the relevant event and shall be made available to a Licensing Officer, Trading Standards Officer, or the Police.

**Duration of meeting:** 10.00 am - 12.06 pm

**Chairman**

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