

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 27 MARCH 2024

Present: Cllrs Brian Heatley, Emma Parker, and Sarah Williams

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

Lara Altree (Senior Lawyer - Regulatory), Aileen Powell (Licencing Team Leader), John Miles (Democratic Services Officer) and Lindsey Watson (Senior Democratic Services Officer)

Also present: Mr Tillman (Applicant) and Miss Codd (Local Resident).

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

Proposed by Cllr Sarah Williams, seconded by Cllr Brian Heatley.

Decision: that Cllr Emma Parker be elected as chairman for duration of the meeting.

190. **Apologies**

An Apology for absence was received from Cllr Paul Harrison, substituted by Cllr Brian Heatley.

191. **Declarations of Interest**

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

192. **Urgent items**

There were no urgent items.

193. **New Premises Licence Application for Smoke on the Water, High Street, Swanage, Dorset.**

The Licensing Team Leader presented the report and supplementary information had been published online to remove all the non-standard hours from the application. The Sub-Committee only considered the sale of alcohol on and off the premises from 9.00 to 23:00 hours.

In response to questions from Cllrs. The applicant, Mr Tillman informed that the Smoke House and Restaurant would specialise in American style smoked meat. Served in a shared style, with a bottle of wine, local beers, and ciders. He added that there was no targeted specific group of people, and anyone was welcome. Off-licence was not crucial but would enable customers who had come in for an

evening to take a bottle or glass home of beer, wine, or cider. He had been in the catering trade for 12 years and the 3 partners had a minimum of 10 years each and were all long-standing Swanage residents. He added that they knew the area very well and tried to give back when they could. There would be 35-40 seats inside the premises and 40 outside on the terrace area, but this was not a set number as they were currently still building the restaurant. There would be a separate bar area on one end where people could come in to have a drink.

Miss Codd was given the opportunity to read out her statement. She raised concerns about the disturbance of peace and quiet, the premises takeaway element, the smoking area and litter. As the premises would be licenced from 9 am to 11 pm, 7 days a week, all year, and the playing of live and recorded music. Within 50 meters of the premises, there was a sanctuary garden being constructed for a place of quiet reflection. Litter in Swanage was exacerbated by takeaway purchases, and irresponsible disposal of cigarette butts and glass from bottles that could end up on the beach in the sand and endanger children. She informed that Swanage was a much-loved town, peaceful and old fashioned in nature. The venue would be located in a peaceful and quiet area, and within a residential building. It would not be the only licenced premises in the area, but the terms of the licence appeared to be quite different from what is in place nearby. The closest licenced neighbour was a sea food restaurant which closed throughout winter and offered food and drink from 11 am to 9 pm. On the pier there was a bistro which opened between 9 am to 4 pm. Both have outside seating but neither play external live or recorded music.

The Applicant responded to Miss Codd's concerns. He said that he would not want to ruin Swanage in anyway. He appreciated the sanctuary garden and did not want to clash with the garden but tie in with it. He wanted customers to visit the gardens and then stroll down and enjoy the views with a glass of wine and a meal. There were no plans to play outside music but would like to support local live bands on the terrace and take advantage of Blues weekend and the Jazz festival. No amplified music would be played, and music played would be acoustic. He reassured the venue was not a music venue, and music would be background music while having a meal. The current opening hours would be 10 am to 10 pm, would not be open until 11 every day. He informed that the closest venue was the bar next door who were licenced until 2 or 3 am. There would be a cigarette bin which would be emptied often.

All parties given the opportunity to have their say.

Decision

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

Supply of alcohol (on and off the premises)
Monday to Sunday 09:00-23:00 hours

Hours premises open
Monday to Sunday 09:00-23:00 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.

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

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 licence holder will keep a register of refused sales of all age- restricted products. 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 salesperson 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.

5. The premises licence holder shall ensure that a sufficient number of suitable receptacles are located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc. by customers.

6. Any persons under the age of 18 must be accompanied by a responsible adult over the age of 18 after 21:00hrs.

7. The premises licence holder shall take appropriate measures to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.

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.

Condition Added by the Sub-Committee

A direct telephone number for the manager at the premises shall be publicly available at all times that the premises is open.

194. **Exempt Business**

There was no exempt business.

Duration of meeting: 1.30 - 2.10 pm

Chairman

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