

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 18 JUNE 2024

Present: Cllrs Derek Beer, Louise Bown and David Shortell

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

Elaine Tibble (Senior Democratic Services Officer), Lara Altree (Senior Lawyer - Regulatory), Kathryn Miller (Senior Licensing Officer) and John Miles (Democratic Services Officer)

Also present: Mr Bown, Mr Crisp, Mr Cherry, Ms Harwood, Ms Fernyhough and Ms Pether.

14. **Election of Chair and Statement for the Procedure of the Meeting**

Proposed by Cllr Louise Bown, seconded by Cllr David Shortell.

Decision: that Cllr Derek Beer be elected as Chair for the duration of the meeting.

15. **Apologies**

An apology for absence was received from Cllr Kate Wheller, substituted by Cllr Louise Bown.

16. **Declarations of Interest**

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

17. **Urgent items**

There were no urgent items.

18. **New Premises Licence Application for Blue Welly Events, Sutton Poyntz, Weymouth.**

The Senior Licensing Officer introduced the report. She clarified that the Springhead pub was already licenced and that this was a new application by Blue Welly Events Limited for the field adjacent to the pub. Dorset Police had made a representation and requested that several conditions be added to any licence granted. The applicant was happy with these suggest conditions.

Mr Bown on behalf of the applicant informed the Sub-Committee that he had operated the pub for over a decade, with function and wedding events. Lots of pubs had been closing and they needed to be able to hold events to increase their

income. He did not need to hold events every day or increase the number of events but required flexibility in order to hold weddings on any day of the week and wanted to have a bar in the field. He had held 2 ticketed events in the last 12 months and 8 to 12 weddings. In previous years there had been 15 to 16 weddings per year. He was confident that he could manage large groups of people and that rubbish was always cleared up after events.

In response to questions, Mr Bown responded that they had never had an incident in the past with emergency vehicles access. They had road marshals to direct traffic and provided off-road parking. They used professional sound engineers and equipment and measured decibel levels periodically. They were happy to provide a telephone number to residents to use in case of complaints and he had not received any complaints about glasses being thrown into gardens. Events would not be held every day and instead have around 12 weddings, 3-4 ticketed events and about 5 other non-ticketed events.

Ms Gatehouse from Dorset Police made the Sub-Committee aware that she had suggested conditions to the premises which the applicant had accepted. They both agreed to a 11pm termination time for any licensable activities and a limit on the number of larger (ticketed) events per year. With no events to take place outside of the period from 1 March to 30 September. She added that a licence could be called in for a review if it was not being complied with.

Mr Crisp read out a statement on behalf of Ms Malone. She raised concerns about the number of events that could take place at the site if the licence was granted.

Ms Harwood read out a statement on behalf of Mr and Mrs Harmsworth. The statement raised concerns about the number of events increasing if the licence was to be granted and had witnessed a near miss accident during the bank holiday and highlighted the importance of public safety. Ms Harwood went on to read out her own statement which informed the Sub-Committee that she had attended some events and recognised that there would be some noise and disruption. She did not want events to be held every day due to antisocial behaviour such as, fighting, urinating, and littering when customers exit the pub. She had a good working relationship with the applicant but was concerned about traffic and access to the village.

Ms Fernyhough informed the Sub-Committee that she had supported the events held in the pub and garden area. The licence for the field would be a second licence for additional events between March and September, which could lead to an increase in events. She requested that she wanted there to be a set number of events only.

Mr Cherry made the Sub-Committee aware that he used the pub and that it was an asset to the village, but some events had become intrusive. He did not want an increase in events and the area to become an event venue. He added that the applicant could apply for a Temporary Event Notice (TEN). He raised concerns over antisocial behaviour as he had experienced events in the past such as, urinating and abuse to taxi drivers. He requested for the application to be refused or to be restricted to a set number of events that could be held in the field. When

there was an event being held in the village, he would be trapped in his house for 6 hours due to the traffic.

Ms Pether informed the committee that she had helped out with recent events at the pub with crowd control and traffic. She was concerned about antisocial behaviour caused by alcohol consumption. She added that more events would lead to additional issues. She requested for the events to be limited.

The Senior Licensing Officer read out a statement from Mr A Williams in support of the application. Mr Williams in his statement covered that he was always told in advance about any events taking place and that the application would allow events to take place further away from the pub and village and were well organised.

All parties were given the opportunity to sum up and have their say.

Decision

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

Live music and recorded music (indoors & outdoors)

Monday to Sunday 1000-2300 hours

Anything of a similar description to that falling within e, f, or g (indoors & outdoors)

Monday to Sunday 1000-2300 hours

Supply of alcohol (on the premises)

Monday to Sunday 1000-2300 hours

Hours premises open

Monday to Sunday 1000-midnight

Mandatory Conditions

1. Designated Premises Supervisor

No supply of alcohol may be made under this premises licence –

- (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

3. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied

having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions Consistent with the Operating Schedule

The premises licence holder will conduct a fire risk assessment at the premises and implement the necessary control measures.

Adequate and appropriate first aid equipment and materials are to be available on the premises.

Signage requesting patrons to respect the neighbours regarding noise when leaving the premises will be erected for relevant events.

For music festivals professional sound engineers will be employed to properly guide and control audio levels.

Appropriate steps will be taken to ensure staff have an awareness of child exploitation and safeguarding and access to relevant training and guidance to be able to recognise child exploitation.

Conditions Added by the Sub-Committee

1. Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport, or holographically marked PASS scheme identification cards. Appropriate signage advising customers of the policy shall prominently displayed in the premises.

2. All staff involved in the sale of alcohol shall receive training on the Licensing Objectives, the law relating to prohibited sales, the age verification policy adopted by the premises and the conditions attached to the Premises Licence. Refresher training shall be provided at least once every six months. A record shall be maintained of all staff training and that record shall be signed and dated by the person receiving the training and the trainer. The records shall be kept for a minimum of 12 months and made available for inspection by Police, Licensing or other authorised officers.

3. A Refusals Register and Incident Log shall be used at the event site, when events are held. The Refusals Register should include the date and time of the refused sale and the name of the member of staff who refused the sale. The Incident Log will record incidents such as anti-social behaviour and include the date and time of the incident plus any pertinent information including the names

and descriptions of those involved. These documents shall be made available to an authorised officer upon request and retained for at least 6 months.

4. Plastic or toughened polycarbonate (or similar) glasses/bottles will be used during all events. The contents of any bottled beverage shall be decanted into a plastic/paper/toughened glass or polycarbonate container before service to any customer.

5. When the event being held is a wedding reception, glassware will only be permitted for use until 1700hrs.

6. Open drinks containers will not be taken from the premises at any time.

7. The premises licence holder shall ensure that any alcohol stored on site is kept securely and is monitored by staff at the premises.

8. Any events where the amount of customers exceeds 300 shall be ticketed. A ticketed event will be those open to members of the public and usually involve music and alcohol sales.

9. Neighbouring residents shall be notified at least two weeks before the commencement of a ticketed event. This notification shall include:

1. The start and finish time of the event
2. A name and number of a person who can be contacted throughout the event to deal with complaints.
3. The contact details of the local authority.

10. A maximum of 30 events may be held per year. The 30 events will include a maximum of four ticketed events per year. One of the ticketed events shall be on the August Bank Holiday weekend.

11. Events shall only be held between 1st March and 30 September.

12. The premises licence holder shall ensure that the Licensing Authority and Police Licensing Team are informed of any event where a capacity larger than 1000 persons (including staff) is planned for. A minimum of three months written notice shall be given to the Responsible Authorities.

13. The premises licence holder shall prepare a written risk assessment prior to any ticketed event, which shall include an assessment of the amount of Security required for the event. The risk assessment shall be made available to any authorised officer upon request and be retained for at least 6 months.

14. The Licensing Authority and Dorset Police shall be provided with an Event Management Plan a minimum of 28 days prior to any event taking place which the premises licence holder deems suitable to employ SIA Registered Door Supervisors.

15. The numbers entering the premises at events open to members of the public shall be recorded.

19. **Exempt Business**

There was no exempt business.

Duration of meeting: 1.30 - 2.17 pm

Chairman

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