

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 22 AUGUST 2024

Present: Cllrs Derek Beer, Jack Jeanes and David Shortell

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

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

Also present: Ms Green (Premises Licence Holder), Mr Hewitson (Director of Butchers dog), Ms Gatehouse and Sargeant Gosling (Dorset Police).

75. Election of Chair and Statement for the Procedure of the Meeting

Proposed by Cllr Jack Jeanes, seconded by Cllr David Shortell.

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

76. Apologies

There were no apologies for absence.

77. Declarations of Interest

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

78. Urgent items

There were no urgent items.

79. Licence Review – Butchers Dog, 6 East Street, Wimborne

The Senior Licensing Officer introduced the review application of the Butchers Dog brought by Dorset Police. When the review was made the licence was held by Mr Hewitson, who was also the Designated Premises Supervisor (DPS). During the review period the licence was transferred to Laura Green who had also taken on the role of the DPS. She explained that during the consultation period it had been very encouraging that consultation had taken place between Ms Green and Dorset Police. She referenced appendix 4 in which an agreement had been made between the two parties with amendments to the current conditions on the premises licence.

Sargent Gosling addressed the Sub-Committee. He informed that senior officers had raised concerns about the Butchers Dog, and Dorset Police had submitted a review based on concerns that issues would continue into the future. He was keen to achieve an improvement and really useful mediation had taken place. Ms Green had been forth coming with concerns and had put forward some excellent proposals which Dorset Police were happy to accept. He requested that the Sub-Committee did not deviate from what had been agreed with Ms Green.

Ms Green outlined the measures that she had put into place since the application was put forward by Dorset Police and the mediation process that was completed by Sargent Gosling. She covered the background of the premises which was a family business and they had operated Butchers Dog for 8 years. She explained that she loved the business and valued the customers and the opportunity to serve customers and the community. She saw this as an opportunity to strengthen and future proof the business. The risk assessment had been updated and they had agreed to have an SIA qualified door person for the Folk festival to cover the busiest hours. The Folk Festival was busier than anticipated. Therefore, she wanted to future proof for next year, so was happy for the condition to be added to the licence. Administration in the business had been strengthened and staff would be trained on the use of CCTV. The assistant bar manager had also been booked onto a Personal Licence Course, and would be involved with the Pub Watch scheme, noise would be monitored by a decibel monitoring device and recorded in incident records.

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

Decision:

To amend the Premises Licence as follows:

Amend condition 25 on the original licence which reads:

The premises will complete a risk assessment as to the requirement for SIA door supervisors to be deployed at the premises. Specific risk assessments will be carried out for Christmas Eve / New Year's Eve and the period covering the Wimborne Folk Festival. The risk assessment will be documented and made available for inspection by a Police Officer or other Authorised Officer on request.

to read as follows:

A minimum of 1 x SIA Door Supervisor shall be present at the premises from 2100hrs until all customers have dispersed from the area for both Friday and Saturday evenings of the Wimborne Music Folk Festival. A written Risk Assessment as to the requirement for SIA door supervisors to be deployed at the premises will be completed for all other occasions including Christmas Eve and New Year's Eve. The written assessment does not need to be individual dates and can apply as a 'standard' policy; however, it will need to be regularly reviewed to ensure that it remains relevant. The Risk Assessment will be documented and made available for inspection by a Police Officer or other Authorised Officer on request.

To add the following new condition:

All staff will undertake training every 6 months and records of such training will remain available for inspection by Police or Authorised Persons.

The Premises Licence will therefore read as follows:

ANNEX 1 - MANDATORY CONDITIONS

Supply of Alcohol (s19(2) & (3))

1. No supply of alcohol may be made under the premises licence –
 - (a) at a time when there is no designated premises supervisor, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence has been suspended

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

Security (s21(a))

3. Any individual carrying out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of section 4 of that Act.

Drinks Promotions

- 4 (1) 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).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (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 licence 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.

7. The responsible person must 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;

(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 Pricing

8. 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.

9. For the purposes of the condition set out in paragraph 8—

(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—
 $P=D+(D \times V)$

(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.

10. Where the permitted price given by Paragraph (b) of paragraph 9 would (apart from this 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.

11. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 9 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.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

12. Only persons over the 21 years of age shall be permitted on the premises.

13. The Designated Premises Supervisor shall attend Pub watch meetings (or any equivalent group established).

14. A zero tolerance drugs and violence policy shall be in place at the premises and all staff shall be made aware of the contents this policy.

15. Any incidents involving violence or drugs shall be reported, as soon as possible to Dorset Police.

16. Signage shall be displayed around the premises reminding customers to leave the premises quietly.

17. The premises licence holder shall ensure that procedures are in place to monitor the noise from inside and outside the premises. Staff shall ensure that any noise shall be kept to a reasonable level.

18. A Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times

when members of the public are present on the premises. The CCTV system will cover all areas of the premises occupied by the public. CCTV coverage should also include external cameras to monitor the rear garden and front door areas of the premises. The main camera covering the main entrance must be to identification standard and capable of providing good quality head and shoulder images of persons entering the premises. The remaining cameras must be capable of recognition standard quality. All external cameras shall be fitted in weatherproof casing.

19. The CCTV system will contain the correct time and date stamp information and will have sufficient storage retention capacity for a minimum of 31 days' continuous footage. A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. Any lawful request for CCTV footage will be supplied to Police or any other authorised officer with the absolute minimum of delay.

20. The Premises Licence Holder /Designated Premises Supervisor and Staff will ask for photographic identification in the form of either a passport, EU photographic driving licence or PASS accredited identification, from any person appearing to be under the age of 25 years who attempts to purchase alcohol at the premises.

21. The premises will maintain an accurate and up-to-date incident book which will be kept at the premises and be made available for inspection by a Police Officer or Authorised Officer on request. All incidents will be reported to Dorset Police.

22. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, a description of the person refused, why they were refused (e.g. no ID, fake ID, drunk etc.) and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by a Police Officer or Authorised Officer on request.

23. Customers will not be permitted to take drinks purchased for consumption on the premises beyond the front door of the premises (i.e. no drinks to be consumed at the front of the premises on the footpath).

24. A minimum of 1 x SIA Door Supervisor shall be present at the premises from 2100hrs until all customers have dispersed from the area for both Friday and Saturday evenings of the Wimborne Music Folk Festival. A written Risk Assessment as to the requirement for SIA door supervisors will be completed for all other occasions including Christmas Eve and New Year's Eve. The written assessment does not need to be individual dates and can apply as a 'standard' policy; however, it will need to be regularly reviewed to ensure that it remains relevant. The Risk Assessment will be documented and made available for inspection by a Police Officer or other Authorised Officer on request.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

25. The garden area of the premises is not to be used by customers or members of the public, unless in case of an emergency. Staff may use the garden area to access the cellar of the premises.

26. All staff shall undertake training every 6 months and records of such training will remain available for inspection by Police or Authorised Persons.

80. **Exempt Business**

There was no exempt business.

Duration of meeting: 10.30 - 10.55 am

Chairman

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