

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **LICENSING SUB-COMMITTEE A** held on 17 June 2022 at 10.00 am

Present Councillors

J Cairney, D J Knowles and Mrs E J Slade

Also Present

Officer(s): Jeremy Pritchard (Team Leader - Commercial Team), Deborah Sharpley (Solicitor), Jessica Watts (Member Services Apprentice) and Sally Gabriel (Member Services Manager)

1 APOLOGIES

There were no apologies for absence.

2 ELECTION OF CHAIRMAN

Cllr J Cairney was elected Chairman of the Sub Committee.

3 DETERMINATION OF A VARIATION TO A PREMISES LICENCE FOR THE SIP SHED & POST OFFICE, CROSSWAY HOUSE, UPLOWMAN, DEVON, EX16 7DP

Consideration was given to a report * of the Lead Licensing Officer relating to an application that had been received by the Sip Shed and Post Office, Crossway House, Uplowman.

The Chairman introduced the members of the Sub Committee and the officers present and explained the process that the hearing would follow.

The Licensing Sub Committee agreed that the meeting should be heard in public session.

There were no interests to declare.

The Lead Licensing Officer outlined the contents of the report making reference to the following:

- The hours of variation being applied for as highlighted within the report
- The need for the sub committee to consider the Licensing Objectives and in particular for this case public safety and the prevention of public nuisance
- One representation had been received in relation to noise levels in the village and parking issues and that it should be noted that the objector lived some way from the application site.

- That the parking issues were not relevant to the sub committee's decision
- The fact that the Post Office may close should have no impact on the licensing application
- The Redwoods Inn opening hours were highlighted
- There had been no reported problems from the establishment, and therefore the presumption was to support the application
- There had been no representations from responsible authorities.

The Applicants were present and were requested to present their case: they had moved to the village in February 2021 to set up their own business having been in the hospitality trade for a number of years. The original licence application included the bottle shop, a tasting venue and a click and collect service, as they were new to the village they had made concessions to the opening hours at that point. They were very proud of what they had achieved given the impact of the pandemic and had hosted over 50 events and entertained 400 guests. They had invested quite heavily in the property and installed CCTV and fire safety equipment. The request to extend the hours had been consumer led and would provide some flexibility for events. Under 5% of attendees had a designated driver, most people walked, were dropped off or took a taxi to events. No complaints had been received from the immediate neighbours. A proven operating schedule was also highlighted.

Questions were raised with regard to:

- The number of people attending each taster session
- The area covered by the CCTV, the availability for recordings to be viewed on request and the number of days of recording the system held.
- Whether further extensions to the licence would take place
- Whether a booking system was in place – which was confirmed.

The Chairman thanked the applicants for their contributions and explained that the Sub Committee would now withdraw and consider their verdict.

The Sub Committee then withdrew from the public meeting to discuss the application and the representations made.

The Sub Committee returned and the clerk on behalf of the Chairman made the following statement:

The Sub-Committee had taken into account the relevant legislation, the Council's Statement of Licensing Policy and the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003, the report of the Licensing Officer, the Application and the relevant representation submitted, together with the presentations of those present at the hearing.

In particular, the Sub-Committee noted the following:

- The Responsible Authorities e.g. the Police, Environmental Health etc. had made no representations.
- Concerns raised about possible noise nuisance.

- The fact that the premises had held a licence since 23 March 2021 and there was no relevant complaint history in relation to noise.
- Condition 7 was already in place which dealt with signage asking persons to respect the locality.
- The hours of the variation Application applied for.
- The additional measures put forward by the applicant some of which the Sub-Committee felt were perhaps unnecessary in the circumstances.

It was therefore **RESOLVED** that the application for the variation of the premises licence be granted with the extension of licensing hours as requested:

Activity		Days	Times
Supply of alcohol Post Office area (bottle shop room)	Off sales only	Monday to Sunday	09.00 – 23.00
Supply of alcohol The Sip Shed (tasting area)	On and off sales	Monday to Sunday	11.00 – 23.00 (close at 23.30)
Extend hours premises open to the public		Monday to Sunday	09.00 – 23.30

Subject to the Sub-Committee having some concerns with regard to a public nuisance in relation to smoking litter and so felt the following additional conditions would be proportionate to deal with those concerns:

- A designated and de-lineated smoking area will be allocated outside the premises.
- Suitable receptacles will be provided for cigarette litter within the designated smoking area.
- The smoking area shall be regularly cleaned to ensure that all discarded smoking litter is removed and properly disposed of.

(Proposed by the Chairman)

The Legal Representative then outlined the appeals process through the Magistrates Court.

Note: *Report previously circulated and attached to the minutes

(The meeting ended at 11.03 am)

CHAIRMAN