

Shropshire Council  
Legal and Democratic Services  
Shirehall  
Abbey Foregate  
Shrewsbury  
SY2 6ND

Date: Tuesday, 6 June 2017

**Committee:**  
**Strategic Licensing Committee**

**Date:** Wednesday, 14 June 2017  
**Time:** 10.00 am  
**Venue:** Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

You are requested to attend the above meeting.  
The Agenda is attached

Claire Porter  
Head of Legal and Democratic Services (Monitoring Officer)

**Members of the Committee**

Peter Adams  
Roy Aldcroft  
Dean Carroll  
David Evans  
Mark Jones  
Simon Jones (Vice Chairman)  
Paul Milner  
Kevin Pardy  
Vivienne Parry  
Ed Potter  
Keith Roberts (Chairman)  
Harry Taylor  
Dave Tremellen  
David Vasmer

**Substitute Members of the Committee**

Ted Clarke  
Pauline Dee  
Nigel Hartin  
Richard Huffer  
Matt Lee  
Pamela Moseley  
Robert Tindall

Your Committee Officer is:

**Shelley Davies** Committee Officer  
Tel: 01743 257718  
Email: [shelley.davies@shropshire.gov.uk](mailto:shelley.davies@shropshire.gov.uk)

# AGENDA

## **1 Apologies**

To receive apologies for absence

## **2 Minutes of Previous Meeting (Pages 1 - 6)**

To confirm the Minutes of the meetings held on 22<sup>nd</sup> March 2017 and 18<sup>th</sup> May 2017.

Contact: Emily Marshall (01743 257717)

## **3 Public Question Time**

To receive any public questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 5.00pm on Friday, 9<sup>th</sup> June 2017.

## **4 Disclosable Pecuniary Interests**

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

## **5 Appointment to Licensing and Safety Sub Committee**

The Committee is asked to confirm the delegated powers of the Licensing and Safety Sub- Committee for the municipal year 2017 to 2018 (see minute 10 of the meeting held on 8th June 2011) and to appoint its membership. Members will be aware that this Sub-Committee's powers are used mainly for dealing with matters concerning hackney carriage and private hire vehicles and drivers.

## **6 Exercise of Delegated Powers (Pages 7 - 14)**

Report of the Transactional and Licensing Manager is attached, marked 6.

Contact: Mandy Beever (01743 251702).

## **7 Records of Proceedings - Licensing Act Sub Committee (Pages 15 - 24)**

To note the records of proceedings of the Licensing Act Sub-Committee meetings for February – April 2017. Minutes of the following meetings are attached for the Committees information:

- 5<sup>th</sup> April 2017
- 12<sup>th</sup> April 2017

Contact: Emily Marshall (01743 257717) or Shelley Davies (01743 257718)

## **8 Future Agenda Items**

An opportunity for Members to identify additional matters that ought to be brought before the Committee for consideration at future meetings.

## **9 Date of Next Meeting**

To note that the next meeting of the Strategic Licensing Committee will be held on 4<sup>th</sup> October 2017 in the Shrewsbury Room, Shirehall, Shrewsbury.

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Committee and Date

Strategic Licensing  
Committee

14<sup>th</sup> June 2017

Item

**2**

Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 22  
MARCH 2017  
10.00 - 10.18 AM**

**Responsible Officer:** Emily Marshall  
Email: emily.marshall@shropshire.gov.uk Tel: 01743 257717

**Present**

Councillor Keith Roberts (Chairman)  
Councillors Andrew Davies (Vice Chairman), Peter Adams, Vernon Bushell, Dean Carroll,  
Peter Cherrington, Nigel Hartin, Roger Hughes, Duncan Kerr, Nic Laurens and  
Robert Tindall

**23 Apologies**

An apology for absence was received from Councillor Joyce Barrow.

**24 Minutes of Previous Meeting**

**RESOLVED:**

That the Minutes of the meeting held on 25<sup>th</sup> January 2017 be approved as a correct record and signed by the Chairman.

**25 Public Question Time**

There were no public questions or petitions received.

**26 Disclosable Pecuniary Interests**

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

**27 Licensing Fees and Charges 2017 - 2018**

The Team Manager, Transactional and Licensing informed the Committee that following the consultation process that was undertaken between 30 January 2017 and 26 February 2017 in relation to the hackney carriage and private hire fees and charges that were proposed by the Strategic Licensing Committee on the 25 January

2017, no objections had been received and hence the fees came into effect on the 27 February 2017 in accordance with the Committee recommendation.

**RESOLVED:**

That the update be noted.

**28 Licensing Forward Plan**

Consideration was given to the report of the Transactional and Licensing Team Manager in relation to the Licensing Forward Plan. (Copy attached to the signed minutes).

Members suggested that a six monthly update report on changes to key legislation might be useful and also the formation of policy in relation to reviewing pavement permits was suggested. The Transactional and Licensing Team Manager confirmed that she would take these suggestions back to the Team for further consideration.

**RESOLVED:**

That the report of the Transactional and Licensing Team Manager be noted.

**29 Air Quality and the Euro 6 Emission Standard**

Consideration was given to the report of the Transactional and Licensing Team Manager in relation to the Air Quality and the Euro Emissions Standard. (Copy attached to the signed minutes).

**RESOLVED:**

That the report be noted.

**30 Exercise of Delegated Power**

Consideration was given to a report of the Transactional and Licensing Team Manager in relation to delegated powers to issue and amend licences. (Copy attached to the signed minutes).

**RESOLVED:**

That the report of the Transactional and Licensing Manager be noted.

**31 Records of Proceedings**

The records of proceedings of the Licensing Act Sub-Committee meetings from October 2016 to February 2017 were received by Members (Copies attached to the signed minutes).

**RESOLVED:**

That the records of proceedings of the Licensing Act Sub-Committee meetings from October 2016 to February 2017 be noted.

### 32 **Future Agenda Items**

The Committee were given an opportunity to identify additional matters that ought to be brought before the Committee for consideration at future meetings.

**RESOLVED:**

No future agenda items/additional matters were identified.

### 33 **Date of Next Meeting**

It was noted that the next meeting of the Strategic Licensing Committee would be held on Wednesday, 14<sup>th</sup> June 2017 in the Shrewsbury Room, Shirehall.

Signed ..... (Chairman)

Date:

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**Committee and Date**

Strategic Licensing Committee

14<sup>th</sup> June 2017**Minutes of the meeting held on Thursday 18<sup>th</sup> May 2017 in the Council Chamber, Shirehall, Shrewsbury on the rising of the Annual Meeting of the Council**

**Responsible Officer** Karen Nixon  
Email: karen.nixon@shropshire.gov.uk

Telephone: 01743 257720

**PRESENT****Councillors:**

Mr P Adams, Mr R Aldcroft, Mr D. Carroll, Mr D Evans, Mr M Jones, Mr S P Jones, Mr P Milner, Mr K Pardy, Mr H Taylor, Mrs V Parry, Mr E Potter, Mr K Roberts, Mr D Tremellen and Mr S West.

**1. ELECTION OF CHAIRMAN**

It was proposed by Mr S Jones, duly seconded by Mr P Adams and

**RESOLVED:** That Councillor Keith Roberts be elected Chairman for the ensuing municipal year.

**2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor D Vasmer.

**3. APPOINTMENT OF VICE-CHAIRMAN**

It was proposed by Mr K Roberts, duly seconded by Mr P Adams and

**RESOLVED:** That Councillor Simon Jones be appointed Vice-Chairman for the ensuing municipal year.

**4. APPOINTMENT OF SUB-COMMITTEES UNDER THE LICENSING ACT 2003**

To ease decision making and follow procedures used in previous years, it was proposed and duly seconded and

**RESOLVED:**

- (a) That Licensing Sub-Committees be established under the Licensing Act 2003 (the Act) to exercise all licensing functions as defined by the Act and all

licensing functions under the Gambling Act 2005 and any other related matters which may lawfully be delegated to them.

- (b) That each of the sub-committees in (a) above shall comprise three members of the Strategic Licensing Committee, and the method of appointment to such sub-committees and procedures to be followed be as that presently set out in Part 4 of the Council's constitution.

**5. DATE OF NEXT MEETING**

**RESOLVED:** That it be noted that the next meeting of the Strategic Licensing Committee be held at 2.00 p.m. on Wednesday 14<sup>th</sup> June 2017.

**CHAIRMAN:**.....

**DATE:**.....



## Committee and Date

Strategic Licensing  
Committee

14 June 2017

## Item

6

Public

## EXERCISE OF DELEGATED POWERS

**Responsible Officer** Mandy Beever, Transactional and Licensing - Team Manager

Email: Mandy.Beever@shropshire.gov.uk Tel: 01743 251702

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### 1. Summary

- 1.1 Licensing officers have been given delegated powers to issue or amend licences, providing no objections have been received in the case of licences issued under the Licensing Act or with regard to general and public health licences.
- 1.2 Further, procedures have been approved for officers with direct line management responsibility for Licensing to use their delegated powers to refuse, suspend or revoke driver, vehicle and operator licences.
- 1.3 This report gives details of the licences issued, variations that have been made and the enforcement action undertaken between 4 March 2017 and the 26 May 2017 and a summary of applications considered by committee.

### 2. Recommendations

- 2.1 That members note the position as set out in the report.

## REPORT

### 3. Risk Assessment and Opportunities Appraisal

- 3.1 This is an information report giving Members information on the work undertaken by the Licensing Team and Committee and therefore a risk assessment and opportunities appraisal has not been carried out.

### 4. Financial Implications

- 4.1 There are no financial implications associated with this report.

## **5. Background**

- 5.1 Information regarding the issue of licences by Officers under delegated powers is reported to Committee on a quarterly basis.
- 5.2 Officers use their delegated powers in a number of situations, including where:
- a) A licence has been requested and there have been no objections raised by interested parties or Responsible Authorities.
  - b) The application has met the Council's policy criteria for accepting an application.
  - c) There are vehicle applications for new or renewal licenses and refusal, suspension and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2015 to 2019 is not met and the officer does not consider there to be any special reason for an exception to be made.
  - d) There are driver's applications for new or renewal licences and refusal, suspension or revocation of licences where the criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2015 to 2019 is not met and the officer does not consider there to be any special reason for an exception to be made.
  - e) There are Private Hire Operator applications for new or renewal licenses and refusal, suspension and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2015 to 2019 is not met and the officer does not consider there to be any special reason for an exception to be made.
- 5.3 The table in Appendix A shows the complete range of licences issued by the licensing team during the period of the 4 March 2017 and the 26 May 2017. During this period the total number of licences processed was 1303.
- 5.4 The Table in Appendix B shows that there were no Licensing and Safety Sub-Committee Meetings held between the 4 March 2017 and the 26 May 2017.
- 5.5 The Licensing Act activities at Sub Committee have also been given in Appendix C.
- 5.6 The Private Hire Vehicle and Hackney Carriage checks undertaken between the 4 March 2017 and the 26 May 2017, results are provided in Appendix D.
- 5.7 Following the decision at the Strategic Licensing Committee on 18<sup>th</sup> March 2015, vehicles and driver applications are now being considered by Officers using delegated powers. This includes refusal of new licence applications, refusal to renew existing licences and revocation and suspension of existing licences, in relation to any matter concerning a hackney carriage or a private hire driver's licence or a vehicle licence or any matter concerning a private hire operator's licence.

5.8 The number of licences and actions determined by this process is as follows:-

<b>Driver</b>	<b>Granted</b>	<b>Granted and/or Warning Letter, Suspension</b>	<b>Letter Council is 'Minded to refuse' or 'Revoke'</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>
New	1	1		2		
Renew		5	11		7	
Conduct		3	2	1	2	
<b>Vehicle</b>	<b>Granted</b>	<b>Granted and/or Warning Letter</b>	<b>Letter Council is 'Minded to refuse' or 'Revoke'</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>
New				2		
Renewal	1			1		
Condition						
<b>Operator</b>	<b>Granted</b>	<b>Granted and/or Warning Letter</b>	<b>Letter Council is 'Minded to refuse' or 'Revoke'</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>
New						
Renewal						
Conduct		1				

## 6. Conclusion

6.1 During the last three months the workload for the Licensing team continued to be high and the team have been working hard to maintain the flow of applications.

### List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

#### Cabinet Member (Portfolio Holder)

Councillor Robert Macey

#### Local Member

Cover all areas of Shropshire

#### Appendices:

A – Licences issued between 4 March 2017 and the 26 May 2017.

B – Number of hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from 4 March 2017 to the 26 May 2017.

C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 4 March 2017 and the 26 May 2017.

D – Private Hire Vehicle and Hackney Carriage checks undertaken between the 4 March 2017 and the 26 May 2017.

## APPENDIX A

Licences issued – 4 March 2017 to the 26 May 2017.

General Licensing	Total
Acupuncture Personal	0
Acupuncture Premises	0
Animal Boarding	11
Animal Breeding	2
Caravan Sites	3
Cosmetic Piercing Personal	4
Cosmetic Piercing Premises	4
House to House Collection	12
Pet Shops	1
Riding Establishments	8
Scrap Metal Site	0
Scrap Metal Collector	0
Sex Establishment Licence	1
Street Collection	29
Street Trading Consent	2
Tattooing Personal	0
Tattooing Premises	0
Electrolysis	0
Dangerous Wild Animals	1
Zoo	0
Performing Animals	2
Distribution of Free Printed Matter	2
<b>Total Applications General</b>	<b>82</b>

Taxi Licensing (Surrendered)	Total
Private Hire Vehicles	24
Hackney Carriages	7
<b>Total Surrendered Vehicles</b>	<b>31</b>

Taxi Licensing		Total
Hackney Carriage	N	10
Hackney Carriage	R	31
Joint HC/PH Driver	N	18
Joint HC/PH Driver	R	63
Private Hire Operator	N	3
Private Hire Operator	R	4
Private Hire Vehicle	N	56
Private Hire Vehicle	R	165
Hackney Vehicle Transfer		7
Private Hire Vehicle Transfer		57
Private Hire Licensee Transfer		0
Trailer Licence		0
<b>Total Taxi Applications</b>		<b>414</b>

Licensing Act 2003	Total
Club Certificate with alcohol	1
Personal Alcohol	77
Premises Licence	19
Temp Event Notice no Alcohol	0
Temp Event Notice with Alcohol	348
Minor Variation Application	7
DPS Change/Variation	67
Transfer Application	28
Annual Fee	128
Premises Review	2
Premises Lic with Alcohol - Full Variation	5
Premises Lic without Alcohol - Full Variation	0
<b>Total Lic Act Applications General</b>	<b>682</b>

Gambling Act 2005	Total
Bingo Premise Licence	0
Betting Premise Licence	0
Licensed Premise Gaming Machine Permit	1
Notification of Intent to have gaming machines	8
Club Machine Permits	0
Occasional Use Licence	2
Adult Gaming Centre	0
Small Society Lotteries	17
Change of Promoter	0
Annual Fee	65
Family Entertainment gaming machine permit	1
<b>Total Gambling Act 2005 Applications</b>	<b>94</b>

<b>Total Applications</b>	<b>1303</b>
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<b>Total Surrendered Vehicles</b>	<b>31</b>
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## APPENDIX B

### Licensing and Safety Sub-Committee Meetings from 4 March 2017 to the 26 May 2017.

Date of Meeting	Scheduled/ Additional	Item	Meeting Venue	Decisions
None				

**APPENDIX C****Licensing Act Sub-Committees.****Hearings held for licensed premises from 4 March 2017 to the 26 May 2017.**

<b>Date</b>	<b>Premises</b>	<b>Type of Application</b>	<b>Councillors</b>	<b>Decision</b>	<b>Review Requested by</b>
5 <sup>th</sup> April 2017	Exempt Premises	Review Application	Cllrs Andrew Davies, Nic Laurens and Keith Roberts	That the Premises Licence be suspended for a period of 3 months; Designated Premises Supervisor be removed; and Conditions as recommended by Trading Standards be added to the Premises Licences.	Trading Standards
12 <sup>th</sup> April 2017	Detton Hall Farm, Neen Savage, Cleobury Mortimer	New Application	Cllrs Joyce Barrow, Andrew Davies, and Keith Roberts	Granted	N/A



**APPENDIX D**

**Private Hire Vehicle and Hackney Carriage checks undertaken between the 4 March 2017 and the 26 May 2017.**

<b>Inspection Date</b>	<b>Total Number of Vehicles Inspected</b>	<b>Advisory Note</b>	<b>No Action Required</b>
12 March 2017	4	1	3
21 April 2017	4	1	3
27 April 2017	19	0	19
18 May 2017	18	7	11
19 May 2017	4	2	2

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## SHROPSHIRE COUNCIL

### LICENSING ACT SUB-COMMITTEE

**Minutes of the meeting held on 5 April 2017**

**1.30 - 2.51 pm in the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury,  
Shropshire, SY2 6ND**

**Responsible Officer:** Emily Marshall

Email: emily.marshall@shropshire.gov.uk Tel: 01743 257717

#### **Present**

Councillors Andrew Davies, Nic Laurens and Keith Roberts

#### **16 Election of Chairman**

##### **RESOLVED:**

That Councillor Andrew Davies be elected Chairman of the Licensing Act Sub-Committee for the duration of the meeting.

#### **17 Disclosable Pecuniary Interests**

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

#### **18 Exclusion of Public and Press**

##### **RESOLVED:**

That under Section 100(A)(A4) of the Local Government Act 1972, the public be excluded during the consideration of the following item of business on the grounds that they might involve the likely disclosure of exempt information as defined in Schedule 12(A) of the Act.

#### **19 Application for a Review of a Premises Licence**

The Licence Holder, the Applicant (Trading Standards – Shropshire Council), the Public Protection Officer and the Council's Solicitor were in attendance.

The Chairman invited the applicant to present their case. The applicant provided the Committee with background information relating to the premises and the circumstances that led to the submission of an application for a review of the premises licence. These included initial reports of alcohol sales to minors, two failed test purchases, failure to provide CCTV footage upon request and failure to provide a challenge register or a refusals log. The applicant confirmed that legal proceedings against the License Holder had commenced.

The Chairman adjourned the meeting at 1:40 p.m. and reconvened at 1:43 p.m. to allow copies of the application for the review of the premises licence to be copied and circulated to all parties present at the hearing.

The Applicant responded to questions from the Sub-Committee and the Council's Solicitor, confirming that following the failed test purchases a blank refusals register had been given to the Licence Holders. The applicant outlined a set of conditions that he recommended be added to the Premises Licence.

The Chairman invited the Public Protection Officer (Professional) to present their case.

The Chairman invited the Licence Holders to present their case. The Licence Holder provided information on the general running of the business, including staffing and the circumstances that had led to the breaches of the Premises Licence. The Licence Holder explained that the family member, who was the Designated Premises Supervisor, had been running the business at the time of the complaints and the failed test purchases and the issues referred to by the Applicant and the Public Protection Officer were genuine mistakes, resulting from a lack of training. The Licence Holder confirmed that staff needed more formal training and reassured the Sub-Committee that they would do their best to ensure that similar issues did not happen in the future.

In response to questions by the applicant and members of the Sub-Committee the Licence Holder confirmed that she was now more involved in the business, improvements had been made to the general running of the premises, the premises licence was now on display and CCTV was in operation and footage could be provided upon request. Finally, the Licence Holder confirmed that they understood their joint responsibility with the Designated Premises Supervisor to uphold the conditions set out in the Premises Licence.

The Chairman invited all parties to sum up and make any final comments prior to the Sub-Committee making a decision on the application.

Members of the Sub-Committee retired to consider the application, in private, at 2:26 p.m. and reconvened at 2:48 p.m. to announce their decision.

## **RESOLVED:**

The Sub-Committee had considered all of the documents submitted prior to and at the hearing and the representations made by all parties at the hearing.

The Sub-Committee also took into account the Guidance issued under S182 of the Licensing Act 2003 and Shropshire Council's Licensing Policy.

The decision is as follows:

The conditions as recommended by Trading Standards will be added to those on the Premises Licences with the amendment to Condition 1 to extend the period of suspension of the Premises Licence to 3 months. These are:

1. That the Premises Licence be suspended for a period of 3 months;
2. The removal of the current Designated Premises Supervisor (DPS) for the premises

3. Any individual undertaking any work involving the sale of goods to the public within the premises, whether paid or not, to either hold or to be in the process of obtaining a BIIAB or an equivalent recognised licensee course. Copies of the course certificates to be retained and made available on request, to a responsible authority or in the case of an individual undertaking a course to provide adequate evidence of the individual's participation.
4. All individuals working at the premises to undertake refresher training on underage sales matters every 6 months. The refresher training to include, as a minimum, the types of age restricted products on sale in the shop, information on the law concerning age restricted products/sales, the internal operating practices in operation, the recoding of refusals, store signage, challenge 25 policy and the acceptable forms of ID to be relied upon. Comprehensive records to be maintained and made available, on request, to a responsible authority.
5. To employ the services of an external agency to test how robust the organisation is at enforcing the 'challenge 25 policy'. This is to consist of four anonymous test purchase style visits in the first six months and two visits in the last six months. All results to be submitted to Shropshire Council's Licensing Team on receipt. This is to be repeated year on year until a 100% success rate has been received during a twelve month period.
6. The Premises Licence Holder and the DPS to undertake training in the operation of CCTV.

#### Reasons

The Sub-Committee considered, in order to enforce the licensing objective of protection of children from harm the decision to be reasonable, necessary and proportionate having considered the serious nature of the breaches of the licensing conditions and the serious concerns they had regarding the management of the premises. By suspending the licence, the licence holder would have the opportunity to ensure that all staff are adequately trained to prevent further breaches.

The parties were advised that the decision would be confirmed in writing within 5 working days of the date of the hearing. Every party had the right of appeal against this decision to the Magistrates Court within 21 days of being notified of the decision.

Signed ..... (Chairman)

Date: .....

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# **SHROPSHIRE COUNCIL**

## **LICENSING ACT SUB-COMMITTEE**

**Minutes of the meeting held on 12 April 2017**

**10.00 - 11.44 am in the Ludlow Room, Shirehall, Abbey Foregate, Shrewsbury,  
Shropshire, SY2 6ND**

**Responsible Officer:** Shelley Davies

Email: shelley@shropshire.gov.uk Tel: 01743 257718

### **Present**

Councillors Joyce Barrow, Andrew Davies and Keith Roberts

### **20 Election of Chairman**

#### **RESOLVED:**

That Councillor Keith Roberts be elected Chairman of the Licensing Act Sub-Committee for the duration of the meeting.

### **21 Disclosable Pecuniary Interests**

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

### **22 Application for a Premises Licence - Detton Hall Farm, Neen Savage, Cleobury Mortimer, Shropshire, DY14 8LW**

Consideration was given to an application for a Premises Licence in respect of Detton Hall Farm, Neen Savage, Cleobury Mortimer, DY14 8LW.

Mr. G. Chipchase (Solicitor – representing the applicant), Ms. R. Rodenhurst (Applicant), Ms. T. Cork (Events Manager), Ms. L. Harkins (Objector), Mr. J. Sales (Objector), Mr. G. Haines (Objector), Mr. I Connolly (Objector), Mr. N. Brydon (Objector), Ms. O. Law (Objector), Mr. C. Andrews (Objector), Ms. A. Andrews (Objector), Cllr. J. Cletford (Objector - Neen Savage Parish Council), Mr A. Vanderhook (Objector), Ms. L. Prince (Solicitor – Shropshire Council), Ms. J. Moores (Public Protection Officer – Professional - Shropshire Council) and Mr. N. Hughes (Public Protection Officer - Professional - Shropshire Council) were present.

On behalf of the applicant, Mr Chipchase addressed the Sub-Committee in relation to the application. He stated that whilst some mediation had taken place which had addressed some of the concerns raised by residents, it had not been possible to reach a full agreement. He listed the three main areas of contention and explained that the premises would primarily operate as an events venue for weddings and corporate functions.

In response to questions from the Public Protection Officer (Professional), Objectors and Members of the Sub-Committee the applicant's representative confirmed:

- The applicant was happy to include 30 minutes drinking up time;
- Barriers would be in place around the pond during events and Marshalls would monitor the area as suggested by the Public Protection Officer (Professional);
- There would usually be 2 Marshalls per event, however, this would be reviewed for each event at the booking stage;
- The majority of events would be held during the months of May – October;
- The applicant did not want to limit the number of events as this would restrict the business;
- There were no plans at present to use the land at the side of the site but it had been included in the application as it may be utilized in the future;
- The applicant had been looking into options of how to manage camping on site;
- Weddings would make up the main part of the business, around 70% with corporate events around 30%;
- The applicant had tried to mitigate concerns raised by residents and will address any issues that may occur in the future;
- The way in which the applicant would mitigate noise issues and read out the draft noise management plan;
- Background noise level would be determined by an independent party following a noise survey;
- The applicant intended to use local suppliers where possible; and
- Any lighting would be kept to a minimum and there would be low level LED lighting only outside.

The Public Protection Officer (Professional) addressed the Sub-Committee, confirming that the application had been accepted as a valid application and relevant representations had been received during the statutory consultation period. She noted that a representation from West Mercia Police had been withdrawn following discussion with the applicant. It was explained that notices had been displayed in line with the Licensing Act.

In response to questions from the Objectors the Protection Officer (Professional) confirmed:

- There were similar venues in Shropshire;
- The issues of access and air/light pollution were not licensing matters; and
- It was not standard practice for a Public Protection Officer to visit the premises subject to the licence application.

The Public Protection Officer (Professional – Noise Protection Team) addressed the Sub-Committee. He outlined what he would expect the noise management plan to include and noted that a key consideration for the applicant would be where events would be located.



The Chairman invited the objectors to present their case.

Mr Sales addressed the Sub-Committee in relation to the application stating that a previous wedding held at the premises was heard at his property and if this was to occur every weekend during the summer months it would impact on the amenity of residents. He added that he ran a business from his home but it does not impact on his neighbours.

Mr Brydon addressed the Sub-Committee in relation to the application. He noted that the applicant would be unable to mitigate noise fully and therefore the number of events held at the premises and guest should be limited to give residents some comfort.

Ms Law addressed the Sub-Committee in relation to the application stating that the business would have a detrimental impact on residents and it was unfair that the rights residents were not seen as important compared to those of the business.

Mr Andrews addressed the Sub-Committee in relation to the application stating that this was not an appropriate location for the type of events proposed and a site visit was required for the Committee to see this.

The Chairman invited all parties to sum up and make any final comments prior to the Sub-Committee making a decision on the application.

Members of the Sub-Committee retired to consider the application, in private, at 11.29 a.m. and reconvened at 11.43 a.m. to announce their decision.

**RESOLVED:**

That the application for a Premises Licence for Detton Hall Farm Neen Savage Cleobury Mortimer Shropshire DY14 8LW be granted for the following days, hours and licensable activity:

Plays (Outdoors), Live Music (Outdoors), Recorded Music (Outdoors), Performance of Dance (Outdoors) and Late Night Refreshment (Outdoors)

Monday to Thursday – 23:00 to 01:00

Friday to Sunday – 23:00 to 02:00

Supply of Alcohol (On the premises)

Monday to Thursday – 08:00 to 00:30

Friday to Sunday – 08:00 to 01:30

Opening Hours

Monday to Thursday – 08:00 to 01:00

Friday to Sunday – 08:00 to 02:00

And in accordance with the following operating schedule:

#### Prevention of Crime and Disorder

1. Staff shall be trained in Fire Marshalling, First Aid, Age Verification and Underage sales prevention. Staff shall also be trained in identifying early signs of intoxication in order to comply with Licensing Law surrounding the sale of alcohol to a drunk and potential vulnerability.
2. Any Outside Caterers serving alcohol will be given a copy of the age verification policy prior to commencement of trading and will be required to sign a declaration of understanding of the policy.
3. Any and all instances of crime and disorder will be reported promptly to the police.
4. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of the Council or the Police, which will record the following:
  - i) All crimes reported to the venue
  - ii) Any complaints received
  - iii) Any refusal of the sale of alcohol
  - iv) Any visit by a relevant authority or emergency service.
5. The incident log shall be signed by the DPS of the premises on a monthly basis.
6. Events Marshalls shall be provided for events of over 50 people.
7. CCTV will be placed inside any structure containing a point of sale for alcohol
8. CCTV shall be operated and maintained in agreement with the Police. The system will enable frontal identification of persons to a clear and evidential quality level.
9. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days.
10. Recordings shall be made available immediately on request to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) throughout the 31 day period following any incident.
11. A member of staff with knowledge of the CCTV system will be present on site whilst the premises are open to the public to aid any enquiry from a Police Officer or Authorised Officer requiring recent CCTV recordings with the minimum of delay when requested.

#### Public Safety

1. All exit routes throughout the premises shall be kept unobstructed, free of trip hazards and clearly signed.
2. Public areas will be maintained free from obstruction and trip hazards
3. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place by staff.

#### Prevention of Public Nuisance

1. Refuse such as bottles will be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
2. Highway and public spaces in the vicinity of the premises will be kept free from litter.

3. Notices shall be prominently displayed at all exits requesting patrons to leave the premises quietly.
4. Noise from regulated entertainment shall not be clearly audible at the boundary of any noise sensitive premises.
5. Prior to any licensable activities taking place, a Noise Management Plan shall be submitted to and approved in writing by the licensing Authority. This management plan shall be fully implemented at all times that licensable activity occurs.
6. Any legitimate complaint made by a resident to the management of the premises in relation to noise will be addressed with the minimum of delay.

#### Protection of Children from Harm

1. A challenge 25 policy will be adopted with proportionate and appropriate signage displayed.
2. A refusal to serve log shall be maintained and made available for inspection by a Police Officer or Authorised Officer, this log shall include the Date, Time, Name and signature of the staff member who refused the sale.
3. The refusal to serve log shall be signed by the DPS of the premises on a monthly basis
4. Front of House Staff shall be trained in Licensing Law with regards to age verification, children and alcohol, and the procedures that shall be adopted if it is considered that an individual may be under the age of 18.
5. Proof of id being passport, photo card driving licence and/or PASS photo card.

#### Reasons:

The Sub-Committee had considered all of the representations that had been made by all parties prior to the hearing and at the hearing. The Sub-Committee also took into account the Guidance issued under S182 of the Licensing Act 2003 and Shropshire Council's Licensing Policy.

The Sub-Committee had noted the concerns raised by the local residents in respect of potential issues that granting the licence may cause and understood their position. The Sub-Committee also noted the concerns raised as to the requirements to advertise the application, but determined that the applicant had correctly followed the statutory procedure. Having considered the application in detail and the answers given by the applicant the Sub-Committee were not satisfied that there was sufficient evidence to prove the application did not satisfactorily promote the licensing objectives and therefore granted the application as detailed above.

The applicant was advised that the decision would be confirmed in writing within 7 days of the date of the hearing and that every party had the right of appeal against this decision to the Magistrates Court within 21 days of being notified of the decision.

Signed ..... (Chairman)

Date: .....

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