

# **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

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### **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: .....