

SHROPSHIRE COUNCIL

LICENSING ACT SUB-COMMITTEE

Minutes of the meeting held on 17 January 2018 (9:40 a.m. – 10:06 a.m.) and reconvened on 14th March 2018 (10.00 a.m. – 11:03 a.m.) in the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Emily Marshall
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Present

Councillors Roy Aldcroft, Paul Milner and Keith Roberts

27 Election of Chairman

RESOLVED:

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

28 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.

29 Application for a Premises Licence - Woodside Fishery, Milson, Kidderminster, Shropshire

Consideration was given to an application for a Premises Licence in respect of Woodside Fishery, Milson, Kidderminster, Shropshire, DY14 OBU.

Mr Stephen Gould (Joint Applicant), Mr Peter Hughes (Joint Applicant), Mr Edward Lawley (Designated Premises Supervisor), Mrs Jane Hughes (Applicant's wife), Ms Lizzie White (Applicant's Partner), Miss L Prince (Solicitor – Shropshire Council) Mr I Iqbal (Trainee Solicitor – Shropshire Council), Ms. J. Moores (Public Protection Officer – Professional – Licensing Team - Shropshire Council) and Mr Nick Hughes (Public Protection Officer – Professional – Environmental Health Team) were in attendance.

Mr Stephen Gould (applicant) presented his case, explaining that following the success of a private family wedding, it had been decided that the Fishery would make a pleasant venue for weddings and other private functions with onsite accommodation and beautiful rural setting and outlined the steps that would be taken to ensure the Licensing Objectives were upheld.

In response to questions from members of the Sub-Committee and the Public Protection Officer (Professional) the applicant confirmed that:

- The responses given in the application form were brief and had been completed when their plans were at an early stage;
- They had approached a local coach firm, with plans to use them to transport guests to and from the venue and they had attempted to respond to the concerns of objectors;
- The venue would not be open to the general public, and would be used for weddings, private functions and big screen sporting events with ticketed entry only;
- A planning application had been submitted for change of use, but permission had not yet been granted.

Members of the Sub-Committee were concerned that the application did not contain the level of detail required to enable them to be satisfied that the Licensing Objectives would be upheld. The Solicitor advised the Sub-Committee that in order to make a decision they needed to be satisfied that the four licensing objectives would be upheld or they would have no option but to refuse the application. All parties present agreed that the most appropriate course of action would be to adjourn the hearing to give the applicant the opportunity to work with the Public Protection Officer (Professional) to develop the application and provide more detailed responses.

The Licensing Act Sub-Committee adjourned at 10:06 a.m.

The Licensing Act Sub-Committee reconvened on Wednesday, 14th March 2018 at 10.00 a.m. in the Bridgnorth Room, Shirehall, Shrewsbury.

Mr Peter Hughes (Applicant), Mrs Jane Hughes (Applicant's wife), Mr Graham White (Solicitor – Shropshire Council), Mr I Iqbal (Trainee Solicitor – Shropshire Council), Ms. J. Moores (Public Protection Officer – Professional – Licensing Team - Shropshire Council) and Mr Nick Hughes (Public Protection Officer – Professional – Environmental Health Team – Shropshire Council) were in attendance.

All parties agreed to the applicant circulating photographs, proposed plans and information relating to the premises.

The Public Protection Officer (Professional) – Licensing Team addressed the Sub-Committee, confirming that the application had been accepted as a valid application and that during the statutory consultation period, seven relevant representations had been received. The Public Protection Officer informed the Committee that none of the objectors were able to attend the hearing for health and work related reasons.

The Public Protection Officer (Professional) – Environmental Health Team addressed the Sub-Committee stating that a noise management plan was required, however the detailed requirements of the plan could only be finalised once the layout of the premises, including the veranda had been agreed and planning permission granted.

In response to questions from members of the Sub-Committee and the Public Protection Officer, the applicant confirmed that:

- A health and safety risk assessment would be undertaken by a specialist company;
- Local people, experienced in licensing would be employed at the premises and all staff would be trained, using a specialist training company;
- A local paramedic would be available to provide first aid and if necessary train members of staff;
- A zero tolerance attitude towards drugs would be in operation, with staff being vigilant at all times;
- The CCTV survey had been submitted the Public Protection Team and the Public Protection Officer had confirmed that it met the requirements of the condition;
- All fishing pools would be fenced off, with four foot wire fencing and gates would be kept locked during functions;
- They did not foresee the need for door staff as the type of events planned were not the type of events that would attract trouble.
- They were willing to undertake first aid and drug awareness training;
- It was anticipated that events would be for a maximum number of approximately 150 and numbers would be limited by ticket/invite only entry;
- They were willing to accept a condition to limit numbers to around 150; and
- There was an anomaly in the sale of alcohol and opening hours which needed to be corrected.

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 10:39 a.m. and reconvened at 11.00 a.m. to announce their decision.

RESOLVED:

That the application for a Premises Licence for Woodside Fishery, Milson, Kidderminster, Shropshire, DY14 0BU be granted for the following days, hours and licensable activity:

Live Music (Indoors)
Non-Standard Timings
2300 until 0100 on New Year's Eve

Recorded Music (Indoors)
Non-Standard Timings
2300 until 0100 on New Year's Eve

Supply of Alcohol (On/Off premises)
Friday – Saturday 1900 to 2300
Sunday 1900 to 2230
Non-Standard Timings

New Year's Eve and Christmas Eve falling on Friday, Saturday or Sunday 1900 to 0030

Opening Hours

Friday – Saturday 1900 to 2330

Sunday 1900 – 2300

Non-Standard Timings

New Year's Eve and Christmas Eve falling on Friday, Saturday or Sunday 1900 to 0100

In accordance with the Operating Schedule as set out in the application, and in accordance with the following additional conditions, the wording of which is to be determined by the Public Protection Officer (Professional);

- The implementation of a Noise Management Plan
- Entrance by ticket or invitation only
- A maximum of 150 guests on site during any event
- Gates to the fishing ponds to be locked during licensable activities
- Licence Holder to complete first aid at work and drug awareness training
- CCTV records to be kept for no less than 31 days
- Qualified first aider on site during licensable activities

The applicant was reminded that they must comply with both planning and licensing requirements, and that the granting of the premises licence did not alter or effect any planning permissions or conditions which may be attached to them, and that a request to review the licence could be made by any interested party at any time.

Reasons:

The Sub-Committee had considered all of the representations that had been made by all parties prior to the hearing together with the evidence submitted 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 were not satisfied that sufficient evidence had been presented to refuse the application or show that the four licensing objectives would not be promoted.

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: