

LICENSING SUB-COMMITTEE

Friday, 12th July, 2024
Time of Commencement: 10.05 am

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Present: Councillor David Hutchison (Chair)

Councillors: Wright Lewis

Officers: Melanie Steadman Licensing Enforcement Officer
Matthew Burton Licensing Administration Team
Manager
Catherine Ravenscroft Legal Adviser – St Philips Chambers

Also in attendance:
The Hopback Brewery's Estates Manager
The Archer's Designated Premises Supervisor
4 x members of the public

1. APPOINTMENT OF CHAIR

Resolved: That Cllr Hutchison be appointed as Chair.

2. APOLOGIES

3. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

4. VARIATION PREMISES LICENCE APPLICATION THAT HAS RECEIVED A RELEVANT REPRESENTATION

The Hopback Brewery's Estates Manager and the Archer's Designated Premises Supervisor outlined the application and gave reasons for their desire to make the variations to the licence. They stated that the request was to allow later opening for charitable events and music nights up to 10 times a year which would be well advertised in advance and earlier opening to allow the use of the premises for community groups, wakes and church activities.

Members of the public detailed their concerns over the application and stated that they had already had issues with noise from the premises on occasion particularly when there were Temporary Event Notices in place. They stated that when music was played, the bass could be felt at their premises and noise spilled from The Archer when the double fire escape doors were left open to allow access and egress for people using the beer garden and smoking.

All parties giving representations were unconcerned with the idea of the use of the premises earlier in the day and felt that the premises was currently run to a high standard by the DPS and her staff. They were however, concerned that it would open the opportunity for events to be held every night of the week to the early hours of the morning and in the event that the DPS was replaced, or if the premises licence was transferred that the premises may not be managed as well. The Sub-Committee was unable to attach much weight to these concerns as the application was to be judged

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on the current circumstances and management of the premises. There were also concerns raised about the possibility of customers from outside of the village attending the premises at the end of the night if extra hours were granted.

The applicants were open to the idea of looking at noise monitoring equipment and restricting the use of the side door when live and recorded music was being played.

The Sub-Committee carefully considered the published agenda paperwork, the oral representations from all parties at the hearing as well as the Licensing Act 2003, s182 Licensing Act 2003 statutory guidance and the Council's statement of licensing policy.

The agenda paperwork included an officer report, a copy of the application, copies of the written representations received from all parties, a copy of the existing premises licence and a site location plan.

The Sub-Committee gave regard to the balance of factors referred to in sections 9.42-9.44 of the Revised Guidance issued under Section 182 of the Licensing Act 2003, sections 2,3 and 4 of the Council's Licensing Policy. They were particularly mindful of the possible effects on the local community with later Sunday opening.

The supplementary evidence provided by the applicant on the date of the hearing was not considered as it had not been circulated to all parties 24 hours prior to the hearing.

Resolved: That the variation application be granted as applied with the following exceptions:

- Live and Recorded Music granted on Sunday 23:00-00:00 other than specific dates given if they fall on Sunday or Bank Holiday Sundays.
- Late Night Refreshment granted on Sunday 23:00-00:00 other than specific dates given if they fall on Sunday or Bank Holiday Sundays.
- Supply of Alcohol granted on Sunday 10:00-00:00 other than specific dates given if they fall on Sunday or Bank Holiday Sundays.
- Hours open to the public on Sunday 08:00-00:30 other than specific dates given if they fall on Sunday or Bank Holiday Sundays.
- Attaching the additional condition 'No drinks shall be permitted to be taken into, or be retained within, any external area of the premises after 23.00 hours.'

That consideration be given to a porch area and/or double doors to be added on the fire exit following discussion with the fire safety authority.

The Chair thanked everyone for their attendance and stated that the written decision would be provided to all parties within 5 working days.

**Councillor David Hutchison
Chair**

Meeting concluded at 12.00 pm