

Chair - Councillor A P Edgeller

Present (for all or part of the meeting):-

Councillors:

A M Loughran

R M Sutherland

Officers in attendance:-

Mr R Simpson	-	Head of Operations
Ms F Samuda	-	Solicitor
Ms K McKinney	-	Enforcement Officer
Mr A Bailey	-	Scrutiny Officer

Also in Attendance:-

Mr J Taylor	-	Applicant
Mr S Whitehouse	-	Objector – Express Curtains
Mr N Parkinson	-	Objector – Couture Leisure Ltd

This meeting had been reconvened from 19 April 2021 due to technical issues.

LSC10 Application for a Premises Licence

Considered the report of the Licensing Officer in relation to an application for a Premises Licence Application for The Great British Beer Company Ltd, 149 Newport Road, Stafford, Staffs ST16 2EZ.

On 22 February 2021 the Council received a premises licence application for The Great British Beer Company, 149 Newport Road, Stafford however the consultation time had to be restarted due to a clerical error by the applicant regarding on-sales/off sales therefore the consultation end date was 24 March 2021.

The application was made by Mr Jack Taylor the Director of the Great British Beer Company Ltd of 147 Newport Road, Stafford ST16 2EZ.

On 24 February 2021 an email was received from Staffordshire Police Licensing Team making representations stating that in its current form the application would not promote the licensing objectives however they also stated that they had consulted with the Applicant and had agreed amendments to the operating schedule so the application was no longer contested.

On 6 March 2021 a relevant representation was received from Express Curtains, Stafford and on 12 March 2021 a relevant representation was received from Couture Leisure Ltd.

On 22 March 2021 an email was received from Trading Standards attaching negotiated and agreed conditions with Mr Taylor. There were no other representations from any other Responsible Authorities.

Ms K McKinney attended the meeting on behalf of the Head of Operations and introduced the report for Members.

Mr S Whitehouse outlined his case in objection to the Application for the Premises Licence.

Mr N Parkinson outlined his case in objection to the Application for the Premises Licence.

All parties were given the opportunity to question Mr Whitehouse and Mr Parkinson.

Mr J Taylor outlined his case in support of the Application for the Premises Licence.

All parties were All parties were given the opportunity to question Mr Taylor.

All parties were then given the opportunity to sum up their case.

The Sub Committee then considered the matter in private.

Recording of the meeting was paused and then restarted when all parties were back in the room.

All parties were invited back into the meeting for the Sub Committee's decision.

RESOLVED:- That the Application for a Premises Licence for the Great British Beer Company Ltd be granted subject to conditions in its entirety.

REASONS FOR DECISION:-

- (i) The Licensing Sub Committee was asked to consider an Application for a Premises Licence for the Great British Beer Company Ltd under Part 3 of the Licensing Act 2003. The Application is confirmed within a Report of Stafford Borough Council's Licensing Officer dated 6 April 2021.

- (ii) The steps for the Licensing Sub Committee to consider when determining the application under the Licensing Act 2003 in relation to this Application are:-
 - a. to grant the licence subject to:-
 - i. the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and
 - ii. any condition which must under section 19, 20 or 21 be included in the licence;
 - b. to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c. to refuse to specify a person in the licence as the designated premises supervisor;
 - d. to reject the application;
- (iii) The Licensing Sub Committee determined the Application based upon the evidence before it having considered the relevant legislation, the Licensing Act 2003 (“the Act”), s.182 Guidance (“the Guidance”), Stafford Borough Council’s Licensing Policy (“the Policy”).
- (iv) The Licensing Sub Committee noted that representations received by Staffordshire Police in respect of crime and disorder and protection of children from harm and also from Trading Standards had now been withdrawn on the basis of negotiated conditions with the Applicant. Two representations therefore remained outstanding for consideration by the Licensing Sub Committee that of Couture Leisure Ltd and Express Curtains Stafford.
- (v) The Licensing Sub Committee aim was to therefore consider whether the application undermined the four Licensing objectives. These being the prevention of crime and disorder, prevention of public nuisance, protection of children from harm and public safety.
- (vi) The Licensing Sub Committee heard and considered submissions from Staffordshire Police, Responsible authorities, other parties Mr Parkinson and Mr Whitehouse and from Mr Taylor for the Applicant.

It was noted that some of the representations were not relevant to the Licensing Objectives hence the same was discounted. The Sub Committee heard representations in relation to trading hours, parking, fire exits and face book entries.

- (vii) This Application was considered and the Licensing Sub Committee determined that the representations of Staffordshire Police and Trading Standards stood as relevant evidence in relation to necessary licence conditions required to be attached to the Licence. The Licensing Sub Committee were satisfied that these conditions were necessary.
- (viii) The Licensing Sub Committee had due regard to the Licensing Act 2003, the s.182 Guidance, Stafford Borough Council's Licensing Policy and the representations made orally and in writing when making its decision.
- (ix) The Licensing Sub Committee determined that the representations made were not evidence based hence there was no evidence of a failure to promote the licensing objectives relating to the Premises or nuisance behaviour derived from the Premises. As such, there has been no breach of licence conditions nor of criminal activities specifically arising in line with the licensing legislation at the Premises.
- (x) The Licensing Sub Committee considered the negotiated conditions of Staffordshire Police and Trading Standards and deemed these as both necessary and relevant in the promotion of the Licensing objectives. In view of this, the Licensing Sub Committee was satisfied that the Premises Licence should be granted subject to conditions.
- (xi) The Licensing Sub Committee therefore accepted the negotiated conditions of Staffordshire Police and Trading Standards and the standard conditions in place for the Council's Licensing Department.
- (xii) The Premises Licence was therefore granted as above.

CHAIR