

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Licensing Sub Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 9 November 2017 commencing at 1.30 pm.

Present: Councillor Owen Bierley
Councillor Paul Howitt-Cowan
Councillor Mrs Jessie Milne

In Attendance:
Phil Hinch Licensing Team Manager
Tracy Gavins Licensing Enforcement Officer
Martha Rees Lincolnshire Legal Services
Sgt Kim Enderby Lincolnshire Police
Mr Adrian Brown Applicant
James Welbourn Democratic and Civic Officer

Apologies: None.

Membership: N/A

1 TO ELECT A CHAIRMAN FOR THIS MEETING ONLY

RESOLVED to elect Councillor Jessie Milne as the Chair for this Panel.

2 MEMBERS' DECLARATIONS OF INTEREST

None.

3 LICENCE HEARING

Licence Hearing

Reference Number: TBC

Application type: Application for the Grant of a Premises Licence

Premise: Intake Craft Beer (rear of White Hart),
Church Street, Gainsborough,
Lincolnshire

Applicant: Mr Adrian Brown

The legal advisor provided an introduction and ran through the proceedings for the hearing. The Licensing Team Manager also introduced himself, and ran through the hearing as documented in the reports pack.

First, the representative from the Police ran through their case:

Mr Brown contacted the Council on the subject of running a pub out of the rear of the White Hart Hotel in Gainsborough. There was a meeting at the venue where the Police expressed some concerns about the running of the bar. The Police and Licensing Officers from West Lindsey District Council (WLDC) offered a list of conditions to consider prior to application. Mr Brown was then to contact the Police and WLDC before the final application with a draft version to see if he had satisfied some of the concerns.

The application was submitted without a draft version. The Police had concerns with several sections of the application, listed below:

- The CCTV must have the capacity for recording rather than just a live stream;
- Applicant mentioned sharing intelligence – the applicant would have needed to show that he was in contact with Licensing Officers;
- Drug policies are mentioned, but none are attached to the application form;
- Other legislation covers the fire and smoke detectors;
- There needed to be a policy for toughened glass;
- There were no attached policies for drug behaviour and misuse;
- The Police wanted to see records of training for staff, and whether it would be repeated on a yearly, or 18 month period;
- With the terminal hour of 2am, Lincolnshire Police would have liked to see doorstaff on at these late times;
- Windows and doors being closed was more of an environmental health remit;
- It wasn't clear how protecting children from harm would be enforced;

The applicant, Mr Brown then had the opportunity to respond to these concerns and outline his own case:

- Mr Brown had consulted his wife, and the current licensee for the White Hart Hotel when writing his application (neither of them were present at the hearing);
- With regards to children under 18, it could be possible for some of them to enter the bar if they are staying at the hotel;
- There were currently no policies attached to the application that deal with the concerns of the Police;

At this point in the hearing the legal advisor asked Mr Brown whether he had previously seen the list of conditions that the Police wanted to be satisfied, to which he answered no. However, Mr Brown did tell everyone present that he had had CCTV installed, with a recording capability for 31 days, after which time it resets itself. There were two cameras outside the venue, with a further five inside.

The Chairman asked whether there were two entrances to the bar; it was confirmed that in addition to the external door to the bar, there was also an internal door from a function room, which had a Yale lock. Residents at the hotel could potentially use this door to access the bar.

After brief further discussion regarding the closing time of the bar, the Panel decided to adjourn the hearing at **1430**.

The meeting reconvened at **1534**.

RESOLVED that:

The Licensing Sub-Committee have had due regard of all Licensing Policy, and legislation and of the four licensing objectives.

The Licensing Sub Committee have considered the Licensing Officer's report, and the evidence presented by Lincolnshire Police and the Applicant in reaching their decision.

The Sub Committee note that following discussions between Lincolnshire Police and the Applicant, that the Applicant has revised his application and agreed a list of conditions with Lincolnshire Police.

The Sub-Committee are content that the revised application and the amended conditions are reasonable and proportionate and promote the four licensing objectives.

However, the Sub Committee have concerns that the Applicant does not yet have policies in relation to drugs and underage sales in place in support of their revised application and the agreed conditions. The Sub Committee consider that it is important to the promotion of the Licensing objectives that these policies are put in place prior to the premises opening.

The Sub Committee have therefore decided that it is just, proportionate and reasonable to the promotion of the Licensing objectives to grant the premises licence as per the revised application and the agreed conditions as agreed between the Applicant and Lincolnshire Police but subject to the strict requirement that policies in relation to drugs and underage sales are agreed in writing between the Applicant, Lincolnshire Police and West Lindsey District Council Licensing Officers.

The meeting concluded at 3.36 pm.

Chairman