

Licensing Sub-committee
23 November 2016

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the LICENSING SUB-COMMITTEE held on Wednesday, 23rd November, 2016 at 1.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE

PRESENT: Councillors J Beckerman, J Cragg and N Taylor

ALSO Miss Kaur - Applicant

PRESENT:

OFFICIALS S Hulks – Governance Services Officer
PRESENT: D Pennyfather – Licensing Enforcement Technician
P Stimson – Principal Litigation Officer

1. APPOINTMENT OF CHAIRMAN

Councillor Jon Beckerman, as Chairman of the Licensing and Regulated Entertainment Committee, was appointed Chairman of this sub-committee.

2. DECLARATIONS OF INTERESTS BY MEMBERS

There were no declarations of interest.

3. APPLICATION FOR A PERSONAL LICENCE

This item had been withdrawn from the agenda as the applicant had withdrawn their application.

4. APPLICATION FOR VARIATION OF A PREMISES LICENCE FOR
BROOKMAN WINES, 95 BRADMORE GREEN, BROOKMANS PARK

The Chairman welcomed everyone to the meeting, explained the process and all present introduced themselves.

Members received a report from the Licensing Officer which provided them with information concerning an application for a variation to a premises licence for Brookmans Wines.

The application requested that the hours of the business should be varied as follows:

Sale of Alcohol OFF

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|----------|---------------------------|
| Current | 08.00 to 23.00 Mon to Sun |
| Proposed | 08.00 to 04.00 Mon to Sun |

The proposed hours were amended as requested by the Police to:

08.00 to 01.00 Mon to Sat 08.00 to 00.00 Sun

Sale of Alcohol ON

| | |
|----------|---------------------------|
| Proposed | 08.00 to 04.00 Mon to Sun |
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These hours were also amended as requested by the Police to:

08.00 to 01.00 Mon to Sat 08.00 to 00.00 Sun

Opening Hours

| | |
|----------|---------------------------|
| Proposed | 08.00 to 04.00 Mon to Sun |
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Amended as requested by the Police to:

08.00 to 01.00 Mon to Sat 08.00 to 00.00 Sun

It was noted that the representation submitted by the Police had been withdrawn on the acceptance of Miss Kaur of the amended hours that they had proposed.

Members were advised that the applicant had been a licence holder since 2009 and that this was the first request for a variation since the premises licence was granted in 2005.

The Licensing Officer confirmed that all representors had been informed of the new proposed hours that had been agreed with the Police and asked whether they wished to withdraw their representations.

There had been no representations received from the Fire Service, Environmental Health or other consultees.

Members were informed that there had been additional representations, other than those in the pack, and also a petition. However, these could not be accepted as they did not conform to the requirements (ie signature and address on the representation and all sheets showing the details of the petition).

Members asked whether the signatories of the petition had been informed that the petition was not valid and asking them to sign a valid petition. The Licensing Officer stated that this had not been possible as the document had been received too late.

The applicant was then invited to speak in support of her application. She said the following:

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- She had taken over the premises in July 2009 and had worked hard since then to bring the business up to a good standard.
- There had been several occasions when off-licence chains such as Bargain Booze had approached her to take over the business, but she had not wanted to run a chain, but rather a specialist shop.
- She imported wines, beers and spirits from all over the world such as the USA.
- There had been changes in the area with a lot of young professionals moving in and trends were changing. People no longer went to bed at 10 or 11pm.
- It was a respectable area and her business was well respected and had a niche market and was therefore different to other off-licences.
- She always made sure that she was within the law and following regulations.
- She had passed when there had been test purchases in the shop and the Licensing Officer had been positive about her record keeping.
- She had spent a lot of money on cameras for both inside and outside the shop and she had taken every step to make it a safe business.
- She wanted to keep the village alive and she was supportive of all the community events in the area.
- In the seven years she had been running the business the police had not been called to the premises due to any trouble.

Members asked the applicant who she thought would be her customers if she was allowed to stay open until 1am. She replied that the staff and managers at Brookmans would be customers as would residents.

Members asked the applicant for more information regarding the reasons for extending the hours of business as, in the application it had stated that she wanted to provide tastings, but she had not mentioned this when speaking to the committee earlier.

Miss K said that she would not be able to run tasting events often as she could not afford to give away stock. However she hoped to do so once per month. She agreed that her main reason for submitting the application was to extend her trading hours and the tastings were a secondary consideration.

It was noted that the premises were small and would not hold more than ten people for a tasting event. Miss Kaur stated that she wanted to provide customers with a sample of wine or spirit for which they would be charged. She wanted to hold tastings as customers did not want to buy a bottle of a drink and then find that they did not like it. She stated that some of the alcohol she sold was expensive.

At 3.05pm the sub-committee, Governance Services Officer and Principal Litigation Officer left the room for Members to consider their decision.

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At 3.30pm the sub-committee, Governance Services Officer and Principal Litigation Officer returned to the committee room.

The Chairman announced that, having considered all of the evidence, both written and oral, the Committee agreed to:

GRANT the application for a variation to the licence as follows:

Opening Hours and Off Sales

08.00 to 01.00 Monday to Saturday

08.00 to 00.00 Sunday

ON Sales are not permitted.

Conditions to be added as follows:

1. No deliveries to be accepted into the premises between the hours of 22.00 and 07.00
2. No empty bottles or other rubbish to be disposed of between the hours of 20.00 and 08.00

Meeting ended at 3.40 pm
SH