

Meeting Commenced: 10:00am  
Meeting Adjourned: 11:25am  
Meeting Reconvened: 12:05pm  
Meeting Adjourned: 12:20pm  
Meeting Reconvened: 12:35pm  
Meeting Concluded: 12:55pm

## **GENERAL LICENSING SUB-COMMITTEE 5 MARCH 2014**

Present: Councillors S Khan, S Khan and Harwood

### **117/13 Appointment of Chair**

**Resolved to appoint Councillor J Khan as Chair of the General Licensing Sub Committee.**

### **118/13 Apologies**

There were no apologies received.

### **119/13 Late Items to be introduced by the Chair**

There were no late items.

### **120/13 Declarations of Interest**

There were no declarations of interest.

### **121/13 Application for an Review**

1. The Sub-Committee considered an application for a new Premises License at Derventio Brewery, Darley Abbey Mills, Darley Abbey, Derby DE22 1DZ.
- . The Sub-Committee has considered an application for a new Premises Licence for Derventio Brewery, Darley Abbey Mills, Darley Abbey, Derby. The application is for the sale by retail of alcohol for consumption both on and off the premises;
2. The Sub-Committee has heard from: Sandra Mansell (Derby City Council Licensing Team), Graham Bennett and Chris Bennett (Other Persons), and John Baldock and Peter Nash (Applicants), and has taken into account the written representations received from W. B. Greenhough, Gordon Jones and Faye Jones, and Janet Dean and Steve Dean.

## **Decision**

3. In making its decision, the Sub-Committee has had regard to the Derby City Council Licensing Policy, the guidance issued under section 182 of the Licensing Act 2003 and the Human Rights Act 1998 and has carefully considered all the evidence presented to it.

4. The Sub-Committee has made this decision to promote the 4 Licensing Objectives:

- (a) Prevention of Crime and Disorder;
- (b) Public Safety;
- (c) Prevention of Public Nuisance;
- (d) Protection of Children from Harm.

5. The Sub-Committee has **RESOLVED** to grant the Premises Licence for Derventio Brewery, Darley Abbey Mills, Darley Abbey, Derby in the following way:

5.1 to approve John Baldock as the Designated Premises Supervisor for the premises;

5.2 to permit licensable activity on the premises as follows:

<b>Activity</b>	<b>Hours</b>
Supply of alcohol	Sunday – Saturday 08:00 – 23:00
Premises opening hours	08:00 – 23:00

6. In order to promote the 4 Licensing Objectives, the following conditions will be attached to the Licence:

#### **MANDATORY CONDITIONS – SUPPLY OF ALCOHOL**

- (1) No supply of alcohol may be made under the premises licence-
  - a. at any time when there is no designated premises supervisor in respect of the premises licence; or
  - b. at any time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3) Mandatory conditions regarding to irresponsible promotions in relation to the premises and which came into force on 6 April 2010 will apply.
- (4) Mandatory conditions regarding appropriate drinks measures and the requirement for an age verification policy which came into force on 1 October 2010 will apply.

#### **CONDITIONS RELATING TO CRIME AND DISORDER**

- (5) Accredited training shall be provided to all staff involved in the sale or supply of alcohol, on commencement of employment, relating to all age restricted

products sold and any system or procedures they are expected to follow in the course of dealing with these goods.

- (6) Refresher training shall be provided at regular intervals - at least every 6 months.
- (7) Records detailing the training provided and to whom shall be kept on the premises for production upon request to an authorised officer under the Licensing Act 2003.
- (8) All records (i.e. relating to conditions 6(14), (15), (18), (19) & (20)) must be written and shall be retained on the premises for a minimum of 12 months from the date of entry.
- (9) A challenge 25 Proof of age scheme will be operated at all times.
- (10) Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.
- (11) The only acceptable forms of identification will be:
  - a) PASS – accreditation proof of age card
  - b) Photo driving licence
  - c) Current passport
- (12) Clear prominent and unobstructed signage informing customers of the proof of age scheme in operation, shall be displayed at:
  - a) all entry points to the premises
  - b) all points of sale
- (13) A system of recording sales refused under the proof of age scheme shall be operated at all times.
- (14) The refusals book/log shall be kept on the premises for production upon request by an authorised officer under the Licensing Act 2003.
- (15) The records relating to the refusals book/log shall be retained on the premises for a minimum of 12 months.
- (16) Alcohol may only be sold for consumption “on” the premises to those persons attending a bona fide private function or a bona fide private tour of the brewery where such consumption takes place for the purposes of sampling only. For avoidance of doubt, there is nothing in this condition which seeks to restrict the sale of alcohol for consumption “off” the premises.

- (17) The Premises Licence Holder and Designated Premises Supervisor shall ensure that a register is maintained detailing any private functions or events that take place on the premises. The register shall detail the date and time of the function, the nature of the function, the date that the function was booked, the name and contact details of the person or business booking the function and the number of persons attending the function. The register will be kept on the premises and be made available for production upon request of an officer authorised under the Licensing Act 2003.
- (18) The Premises Licence Holder and Designated Premises Supervisor or a suitably trained nominated representative shall receive and respond to complaints throughout the duration of all noise generating events. A record of all complaints and of any action taken as a result shall be maintained in a complaints log book kept specifically for that purpose. The log book shall be made available for inspection by an authorised officer under the Licensing Act 2003 upon their request.
- (19) The Premises Licence Holder or nominated representative shall monitor the noise level at least once every hour outside of noise sensitive premises during every event involving non-amplified music or speech. If as a result of such monitoring, noise levels are intrusive (i.e. clearly audible), immediate action shall be taken to reduce the volume to non-intrusive levels. A record of these checks and of any action taken as a result shall be maintained in a log book kept specifically for that purpose. The log book shall be made available for inspection by an authorised officer under the Licensing Act 2003 upon their request.
- (20) There will be no live or recorded music relayed to any outside areas..
- (21) There shall be displayed at all exits, prominent, clear notices requesting customers to respect the needs of local residents and to leave the premises and the area quietly.
- (22) The Designated Premises Supervisor will be responsible for ensuring that during any bona fide private function or bona fide tour of the brewery that only fee paying patrons of those functions or tours are on the premises.

7. The reasons for this decision are as follows:

- (1) Having taken into account the 4 licensing objectives, the guidance issued under section 182 of the Licensing Act 2003, the council's licensing policy and the Human Rights Act, the Sub-Committee sought to balance the interests of the applicant and the representations made by the interested parties.

- (2) The Sub-Committee felt it was reasonable and proportionate to allow the application with amendments subject to the conditions specified which are imposed to specifically address the concerns raised.
- (3) The premises are within a mixed commercial and residential area and are in close proximity to neighbouring dwellings. In order to protect the interests of neighbouring residents and prevent public nuisance the Sub-Committee felt that the hours during which entertainment can be provided must be restricted and appropriate conditions imposed. The Sub-Committee decided to limit the opening hours accordingly.
- 8. All Parties may appeal this decision. Guidance on this process is attached to this decision notice.

MINUTES END