

**LICENSING SUB-COMMITTEE**

**Thursday 9 June 2016**

<b>Application Type:</b>	Application for a New Premises Licence	
<b>Ward:</b>	Clandon and Horsley	<b>Ward Councillors:</b> Cllr David Reeve Cllr Matt Sarti Cllr Jenny Wicks
<b>Applicant:</b>	Mr Richard Mews	
<b>Premises:</b>	Little Ridings, Norrels Drive, East Horsley, KT24 5DL	
<b>Proposal:</b>	<p>The premises are a private residence and grounds, which is additionally being used as a small independent gin distillery with the gin stored on site. The applicant is permitted to manufacture, store and supply to wholesale without a licence.</p> <p>The application is for a Premises Licence allowing the sale of alcohol for consumption <b>OFF</b> the premises, between the hours of 0900hrs and 1700hrs Monday to Friday.</p> <p>The public will not have access to the property; sales will be via telephone and or internet and sent to the customer.</p>	

## 1. SITE LOCATION

The premises is a barn situated to the rear of a private property, Little Ridings, Norrels Drive, East Horsley, there are a number of residential properties within the vicinity.

A site location map is attached as **Appendix 1**.

## 2. APPLICATION

The application form, a copy of which is attached as **Appendix 2**, gives the following information in relation to the proposed hours:

**Licensable activities:**

- The sale of alcohol

**Proposed hours:**

The table below shows the proposed licensable activities and hours

Activities	Mon	Tues	Wed	Thurs	Fri		
Sale of alcohol							
For consumption <u>off</u> the premises	09:00 – 17:00	09:00 – 17:00	09:00 – 17:00	09:00 – 17:00	09:00 – 17:00		

## **2.1 Promotion of the four licensing objectives**

The applicant has submitted a number of proposals and steps that he intends to take, in order to promote the four licensing objectives:

1. Limit of 2000 litres of sales strength gin per calendar year.
2. The size of vehicles used by delivery/ collection contractors will be no bigger than Luton or van sized.
3. Training and monthly assessments will be provided to all current and future directors and employees to make them aware of the four licensing objectives.
4. The Designated Premises Supervisor will be present for all sales of alcohol.
5. The Premises will be locked at all times when not in use.
6. Access to the premises will be via to two gates, one of which will be manually closed and electrically operated.
7. Public access will not be permitted, and access will only be provided for deliveries or collections.
8. No alcohol will be consumed on the premises.

The applicant has also proposed allowing residents to have reasonable access to records to reassure compliance with these conditions.

A copy of the letter is attached as **Appendix 3**.

If granted, the proposals will be converted into relevant conditions attached to the licence.

## **3. CONSULTATION**

The application was in consultation from 14 April until 13 May 2016.

The application was advertised in accordance with regulations.

The applicant gave a consultation end date on notices, which exceeded the statutory required period, the period of consultation was extended to that date in order to be fair to all interested parties.

A Senior Planning Officer from Guildford Borough Council has advised that the building is authorised, and it is considered that the use in connection with the production of gin does not amount to a material change of use; therefore, planning permission is not required. The rear barn is being used for domestic storage and is not being used for the production of the gin.

### **Responsible Authorities.**

There have been no representations/objections received from any of the Responsible Authorities.

### **Representations from other persons**

18 relevant representations have been received, mainly from residents, on the grounds of the prevention of public nuisance, raising concerns that there will be an increased level of nuisance to residents. The representations refer to nuisance from commercial vehicles using the roads in the surrounding area, which will be making deliveries and

receiving collections from the property. A number of issues have been raised which are outside the remit of the Sub-Committee, these include the safety of the public on the highway, and a concern over a possible increase in property crime, related planning issues and not being appropriate for the area in general.

A copy of the representations are attached as **Appendix 4**.

#### **4. LICENSING POLICY**

The following sections of the Council's Licensing Policy are relevant:

- Section 5: (Fundamental Principles)
- Section 11: 11.1 – 11.6 (Public Nuisance)

#### **5. NATIONAL GUIDANCE**

The following sections of the Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 are relevant:

Paragraphs 2.14 – 2.20 – Public Nuisance

Paragraphs 9.30 – 9.40 – Hearings

Paragraphs 9.41 – 9.43 – Determining actions that are appropriate for the promotion of the licensing objectives

Paragraphs 10.1 to 10.68 – Conditions attached to premises licences, which include mandatory conditions to be included in every licence.

#### **6. CONCLUSION:**

1. The Sub-Committee must consider the application for the grant of a premises licence on its merits.
2. Subject to paragraph (3) below, Section 18(2) of the Licensing Act 2003 provides that the Sub-Committee must grant the application subject to the mandatory conditions and such conditions as are consistent with the operating schedule.
3. Having regard to the relevant representations received, the Sub-Committee must take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

The steps are:

- To impose modified or additional conditions on the licence. Any additional or altered conditions must be appropriate for the promotion of the licensing objectives, proportionate and should address the matters raised in the representations.
- To exclude any of the licensable activities from the scope of the licence.
- To refuse to specify a person as the premises supervisor.
- To reject the application.

#### Originator:

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