

# EAST STAFFORDSHIRE BOROUGH COUNCIL

## LICENSING ACT SUB-COMMITTEE

Minutes of the Meeting of the Licensing Act Sub-Committee held in the Boardroom, The Maltsters, Burton upon Trent on Wednesday 16<sup>th</sup> May 2018.

### **Present:**

Councillors P L Ackroyd (Chairman), E Barker and D F Fletcher.

### **Officers Present:**

Mrs A Wakefield (Solicitor), Mr A Cross (Licensing Officer) and Mrs H Farman-McKenna (Licensing Officer).

### 108/18 **DECLARATIONS OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

### 109/18 **APPOINTMENT OF CHAIRMAN**

#### **Resolved:**

That Councillor Mrs P L Ackroyd be appointed Chairman for this meeting.

### 110/18 **URGENT BUSINESS**

There was no urgent business brought forward to the Licensing Act Sub-Committee pursuant to Rule 12.

### 111/18 **APPLICATION FOR A PREMISES LICENCE – SLOANS KITCHEN, BARN 1 CRAYTHORNE FARM, 104 CRAYTHORNE ROAD, BURTON UPON TRENT, STAFFORDSHIRE DE14 1AN**

(CE) The report of Chief Executive, regarding an application for a premises licence was considered.

Mrs Hayley Toon, the applicant, attended the sub-committee meeting and was accompanied by Mrs Vanessa Brown (Premises Owner).

The following objectors attended the sub-committee meeting:

Mrs J Bucknall (Clerk to Stretton Parish Council)

Mrs J Curtis

Mrs S Hastings

Mrs G Hillier

Mrs W Jessop

Mrs S Morgan

Mr R Morrell

Mrs D Peacock

Mr & Mrs J Pearce

Mr & Mrs Smedley

Mrs J Thompson

Mr & Mrs M Whetton

Mr & Mrs R Whitehouse

Representation was also received from Mr & Mrs Plummer, in a letter, which was read out by Mrs H Farman-McKenna (Licensing Officer).

The sub-committee heard oral evidence from the following witnesses:

Mrs Helen Farman-McKenna (Licensing Officer)  
Mrs Katherine Pearce (Objector)  
Mr Malcolm Whetton (Objector)  
Mr Jane Bucknall (Clerk to Stretton Parish Council)  
Mrs Hayley Toon (Applicant)  
Mrs Vanessa Brown (Premises Owner)

**Resolved:**

The Chairman stated that this was a new application for a premises licence at Sloans Kitchen, Craythorne Farm. The sub-committee had received a considerable number of objections, all of which the sub-committee had read in advance of the hearing – and those objectors who wished to do so had an opportunity to address them at the meeting.

The sub-committee had heard from the applicant that this was a small, food-led business and the applicant had explained in some detail the rationale behind the application and the nature of the events which will be held.

Since the application was submitted, the applicant had agreed conditions with Staffordshire Police and had addressed the concerns of East Staffordshire Borough Council's Environmental Health Officer, by removing amplified live music; and the playing of recorded music outside, from the application. The type of music it is intended to have at the premises would not now be a licensable activity. The applicant had also explained to the sub-committee that she and her husband had both obtained the Licensing Qualification and it was evident from her answers to some of the sub-committee's questions that the applicant understood the obligations placed on her by the licensing regime and she understands how to meet those obligations.

The objections received had been wide-ranging and detailed. The sub-committee were obliged to focus solely on issues pertaining to the licensing objectives and for that reason the sub-committee had not taken into account any of the issues which will be dealt with under the Town and Country Planning regime (this includes highways issues alluded to in written representations and at the meeting). In addition, the sub-committee had to judge the application before them and its potential impact on the licensing objectives and for that reason they Members could not take into account speculation on the subject of any possible future expansion of the premises.

Taking into account everything the sub-committee had read in advance of the hearing and had heard at the meeting (but discounting anything irrelevant as far as the licensing objectives were concerned), the sub-committee concluded that a licence at these premises would not adversely impact the licensing objectives, and for that reason the sub-committee granted the application subject to the amendments and conditions agreed in advance of the hearing.

The Chairman stated that the sub-committee trusted that the premises would be run in the responsible manner outlined to them but if that did not prove to be the case, then any of those present at the meeting, or any Responsible authority, would have the ability to seek a review of the licence. Similarly, if the non-licensable music played at the premises proved to be problematic, East Staffordshire Environmental Health team would be able to seek a

review. The Chairman reiterated that the sub-committee trusted that the premises would be run in the responsible manner described to them.

**Chairman**