

LICENSING SUB-COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY, 20 AUGUST 2019

Councillors Present: Peter Argyle (Chairman), Jeff Beck and Tony Linden

Substitute: Councillor Adrian Abbs

Also Present: Sharon Gavin (Technical Officer - Licensing), Laura Knowles (Solicitor), Suzanne McLaughlin (Senior Environmental Health Officer) and Amanda Ward (Lead Officer - Licensing), and Jo Reeves (Principal Policy Officer)

PART I

3 Declarations of Interest

There were no declarations of interest received, but Councillor Tony Linden made a declaration in the interest of transparency.

4 Application No. 19/00888/LQN, The Swan at Streatley

Councillor Tony Linden reported that he had no interest to declare but in the interest of transparency, wished to state that he had been contacted by a Councillor in relation to the application but had advised that Councillor that he would make his determination in light of the evidence presented to the Sub-Committee and did not enter into a discussion with the Councillor.

The Sub-Committee considered a report (Agenda Item 2(1)) concerning Licensing Application 19/00888/LQN in respect of The Swan, High Street, Streatley.

In accordance with the Council's Constitution, Amanda Ward (Licensing Officer, West Berkshire Council) and Mr Michael Westenbrink (Applicant) and Mr Robert Morris (Applicant's Counsel) addressed the Sub-Committee on this application.

Councillor Peter Argyle noted that the objectors and the Ward Member were not present to address the Committee.

Ms Ward, in addressing the Sub-Committee, raised the following points:

- The Licensing Authority received an application to vary premises licence in relation to The Swan Hotel, High Street, Streatley, RG8 9HR issued under reference number 19/00816/LQN on the 5 July 2019.
- The 28 day consultation period ran from 6 July 2019 to 2 August 2019. Responsible Authorities, Ward Members and the Parish Council were advised by email on the 8 July 2019, the next working day following receipt of the application.
- The application proposed to delete Condition 13 from premises licence reference number 19/00225/LQN granted on the 10 April 2019. Condition 13 states: "There shall be no consumption of alcohol on the area referred to as The Island and marked as The Island on Plan No J420-CD-A2-08/B"
- The application had been advertised in accordance with the regulations with the required blue notices being placed at the premises and an advert placed in the Henley Standard on the 12 July 2019.
- During the statutory consultation period of 28 days the only representations received by Culture and Environmental Protection, Licensing were from James Emerson and

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Enid Worsley, residents, and Christine Cox on behalf of the shareholders of Nuns Acre Limited.

- No relevant representations were received from the Responsible Authorities.
- The application was discussed at the Streatley Parish Council meeting held on the 8 July 2019 and confirmation was received by the Licensing Authority on the 9 July that Streatley Parish Council do not object to this variation.

Before the Applicant made the presentation to the Sub-Committee, Mr Morris requested that an aerial view of the area be circulated as a visual aid to his presentation. The Sub-Committee agreed that the image could be circulated. (*This image has been appended to the minutes.*)

Mr Westenbrink and Mr Morris, in addressing the Sub-Committee, raised the following points:

- At the hearing of the previous application on 4 April 2019, there had been confusion over which island was being referred to when the condition to prevent consumption of alcohol on the Island was accepted. Those representatives of Rare Bird Hotels and most residents had thought that it was the island adjacent to the B4009 (marked 1 on the image), rather than to the North of the premises (marked 2 on the image).
- The Island (marked 2) had been used as part of the premises for over 30 years.
- The application was solely to vary the condition relating to the consumption of alcohol. The hope was to restore matters and the use of the Island would be as an extended outdoor area.
- The hotel had been responsibly run for a number of years and the owners had listened to the issues raised by nearby residents at the previous Sub-Committee, they were aware of their responsibilities and try to act as good neighbours and the remaining licence conditions would mitigate their concerns.
- There were a large number of objections before but only two this time which appeared to miss the purpose of the application. The objectors had suggested that there would be a cultural and noise impact but these were addressed by existing conditions. It was not proposed to hold events on the Island which had been used as part of the premises until April 2019. There would be no impact on the Area of Outstanding Natural Beauty or character of the area.
- The premises was being managed properly and any problems could be reported to the appropriate authorities if they materialised. The fact no concerns had been reported indicated the premises was run well.
- There was a lack of clarity around the plans by the Applicant for which an apology was given.

Councillor Argyle asked what kind of events might take place on the Island. Mr Morris advised that the application had been submitted to enable six tables to be positioned. In the past, any events had been managed through Temporary Event Notices.

Councillor Jeff Beck asked about the ownership of the two islands; Mr Westenbrink advised that they were both in the ownership of Rare Bird Hotels.

Councillor Beck asked why no plan reference had been used in the application to seek permission for the premises licence to apply to the Island. Mr Morris advised that the condition to limit consumption on alcohol on the Island arose in the hearing and this application before the Sub-Committee solely related to the Island marked '2' on the image.

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Councillor Tony Linden asked if the Island might be used casually in addition to the tables. Mr Morris advised that it might as the area had been used as an extended reception area for weddings.

Councillor Linden asked if additional toilet facilities would be placed on the Island for events; Mr Westenbrink advised that additional facilities would not be required as the main building was very close by.

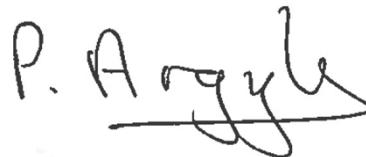
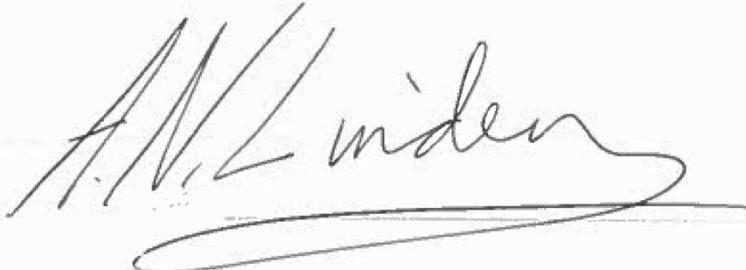
Councillor Linden asked whether glass or plastic glassware would be used on the Island. Mr Westenbrink advised that it would be glass and that the hotel would make sure to clear up any rubbish.

Councillor Adrian Abbs asked whether there were moorings on the Island which may contribute to the traffic of people using the Island; Mr Westenbrink confirmed that there were not. Councillor Abbs asked what 'other similar entertainment' to dances might take place outside, as recorded on the current premises licence. Mr Westenbrink advised that there was no intention to conduct any activities on the Island after 23:00, the licence allows to 02:00 but the hotel had improved on this by restricting to 23:00 in practice.

There being no other questions or comments by the Applicant, the Sub-Committee retired at 10.22am to make its decision.

Having taken the representations into account, including the written representations made by Christine Cox, James Emerson and Enid Worsley, the Licensing Sub-Committee **RESOLVED** that Application 19/00888/LQN be granted.

(The meeting commenced at 10.00 am and closed at 10.22 am)

 Cllr Peter Argyle	(Chairman)
 Cllr Jeff Beck	
 Cllr Tony Linden	
Date: 28 August 2019	

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