

Summary of Licensing Sub-Committee Decision(s) taken on 25 October 2023

Part I

Application No. 22490 - The Boxford, Roodhill, Boxford, RG20 8DD (Item 2(1))

NOTICE OF DECISION

The Licensing Sub-Committee of West Berkshire Council met on 25 October 2023 and resolved to approve Application 22490 in respect of The Boxford, Roodhill, Boxford, RG20 8DD subject to conditions which are set out below.

In coming to their decision, the Sub-Committee had regard to the four licensing objectives, which are:

1. the prevention of crime and disorder;
2. public safety;
3. the prevention of public nuisance; and
4. the protection of children from harm.

They also considered the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 and West Berkshire Council's Statement of Licensing Policy.

The Sub-Committee considered the Application submitted by the Applicant, which appeared at Appendix 1-3 of the Agenda pack.

The Sub-Committee heard representations made by:

1. The Applicant: Alex Fasoli through his agent David Whitehead
2. Objectors: Annika Hatchwell and Brian Daws
3. Ward Member: Councillor Tony Vickers

The Licensing Sub-Committee also considered all written representations including the representation of Tim Barker, who did not attend.

The Sub-Committee heard that the relevant premises are currently licenced, as a licence was transferred from the previous owner, but that the licence would be surrendered if the application was granted. The Sub-Committee noted favourably that this application, for the most part, was for reduced timings and extent of licensable activities.

Decision

If you have any queries regarding this/these decision(s), please contact:

Moira Fraser, Democratic Services Manager

Tel: (01635) 519045 or e-mail: mfraser@westberks.gov.uk

Summary of Licensing Sub-Committee Decision(s) taken on 25 October 2023 (continued)

Having taken those representations into account, the Licensing Sub-Committee **RESOLVED** that **Application 22490** be **granted** subject to the conditions as in the operating schedule, amended below, as well as any relevant mandatory conditions in ss19-21 of the Licensing Act 2003 and secondary legislation.

Operating Schedule

Box I: Late Night Refreshment

Monday to Sunday 23:00 - 00:00

Non standard timings

New Years Eve 23:00 – 01:30

From the end of permitted hours on New Years Eve until 01.30 on New Years Day

An additional hour to the standard times on the day when British Summer Time commences.

Box J: Supply of Alcohol

Monday to Sunday 7:00 - 00:00

On and Off the premises

Non standard timings

New Year's Eve 07:00 - 01:30

From the end of permitted hours on New Years Eve until 01.30 on New Years Day

An additional hour to the standard times on the day when British Summer Time commences.

Conditions:

CCTV (amendment to M(b) of the operating schedule)

A CCTV system shall be maintained covering access and egress points; for the avoidance of doubt, this is to include access and egress points to the terrace areas. [...]

Reasons:

The Licensing Sub-Committee considered the Application, together with the relevant written and oral representations made.

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Summary of Licensing Sub-Committee Decision(s) taken on 25 October 2023 (continued)

The Sub-Committee considered the representations from all parties and noted that the concerns of the objectors related mainly to the licencing objectives of prevention of crime and disorder and the prevention of public nuisance. The police are a key source of information and advice on the impact of licensable activities, particularly on the crime and disorder objective; Environmental Health, is a key source of information and advice in relation to public nuisance. The Sub-Committee noted that neither Responsible Authority had made any representations in relation to this application. The Sub-Committee noted that CCTV was going to be installed covering access and egress points. The Sub-Committee found it was reasonable and proportionate to amend the condition to clarify that access and egress points should include access and egress to the terrace areas. This would be pursuant to the promotion of licencing objectives, specifically the prevention of crime and disorder.

The Licensing Sub-Committee considered the type, location, characteristics and activities that will take place at the premises and decided that the promotion of the licensing objectives could be achieved through conditions as set out in the operating schedule, including the amendment mentioned above. The Sub-Committee was satisfied that the conditions imposed, were reasonable, proportionate, and appropriate in all the circumstances.

In reaching its decision, the Sub-Committee noted the Council as Licensing Authority must determine each application under the Licensing Act 2003 on its own merits, and every decision must be both justified and proportionate based on the available evidence in accordance with the Statutory Guidance and the Council's Licensing Policy.

Cllr Phil Barnett (Chairman)

Cllr Clive Taylor

Cllr Billy Drummond

Date: 30/10/2023

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