

DRAFT

LICENSING SUB-COMMITTEE

MINUTES OF THE MEETING HELD ON FRIDAY, 8 DECEMBER 2023

Councillors Present: Paul Dick, Nigel Foot and Martha Vickers

Substitute: Billy Drummond

Also Present:, David Cook (Principal Democratic Services Officer), Krystelle Kamola (Licensing Officer), Gordon Oliver (Principal Policy Officer) and Vikki Rigden (Lead Applications Officer), Beth Varcoe (Solicitor)

PART I

9 **Declarations of Interest**

There were no declarations of interest received.

10 **Application No. 22873 - Awberry Barn, Awberry Farm, The Green, Beenham, Berkshire, RG7 5NX**

The Sub-Committee considered a report (Agenda Item 2(1)) concerning Licensing Application 22873 in respect of Awberry Barn, Awberry Farm, The Green, Beenham, Berkshire, RG7 5NX.

In accordance with the Council's Constitution, Krystelle Kamola (Licensing Officer, West Berkshire Council) Nigel Hopes (Applicant), Duncan Craig (Agent), Lesley and Peter McEwen (Objectors), Nigel Toon (Supporter) and Councillor Dominic Boeck (Ward Member) addressed the Sub-Committee on this application.

Ms Kamola introduced the report to Members, which took account of all the relevant policy considerations and outlined the application timeline.

Mr Hopes and Mr Craig, in addressing the Sub-Committee, raised the following points:

- The Applicant had always worked with integrity and objectivity in line with the Nolan Principles and his own personal values.
- Personal professionalism of the Licensee was key and had been demonstrated by the way Mr Hopes had managed the Six Bells Public House.
- The venue would benefit the local economy, whilst preserving the heritage asset.
- They had worked closely with the key consultees and adopted all suggested conditions.
- The Applicant allowed for consultation with residents and made significant adjustments to cater for the issues raised.
- The Applicant would be present at all events and would have control of all bookings, which would help mitigate anti-social behaviour.
- The hours for the sale of alcohol were modest.
- Live music could be played at the event even without the license.

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- There were 27 letters in support of the application compared to the 16 objections. The representations in support were relevant to the Licensing Objectives, whereas some of the objections were not relevant, or speculative.
- That the Sub-Committee should look to Responsible Authorities as the main source of guidance for the application and that all the authorities saw it as acceptable.

Councillor Nigel Foot queried the noise mitigation measures for when people leave the barn. Mr Hopes explained that there was a 2.5-meter-high acoustic fence at the entrance to the site and members of staff would manage the movement of people to a from the carpark, however he could not stop people from talking. Mr Craig explained that condition nine of the license required the Licensee to manage the flow of people from the carpark to the site.

Councillor Martha Vickers questioned the number of employees on the site and Mr Hopes explained that it depended on the number of attendees, however generally there would be 15 catering support staff and ten general support staff.

The Chairman asked for clarity on the closing schedule of the venue and Mr Hopes and Craig explained that 23:00 pm was a hard deadline and then the team would manage the dispersal off-site within forty-five minutes.

The Chairman asked why off-sales were included in the application and Mr Craig clarified that every license would have off-sales as well as on-sales. The purpose of the off sales was to allow people to have a drink outside the barn. Mr Craig asserted that there was no intention to run the barn as an Off-License.

Ms McEwen questioned the term 'multi-event' and Mr Hopes stated that the venue was intended as a wedding venue, however the term 'multi-event' was used to allow for small community events. Mr Hopes emphasised that the venue would not host 'riotous' events.

Ms McEwen queried what measures were in place to prevent disturbance created by individuals using the overnight residence. Mr Hopes stated that there would be no difference in the mitigation measures and the management of those individuals and Mr Craig stated that it would be covered within the dispersal policy.

Ms McEwen asked about the noise made from the opening of the two large double doors and Mr Hopes explained that the doors would not need to be opened as there were another set of doors with a ramp for disabled access that would be used for access to the toilet block. The two sets of doors would come with an acoustic curtain to help further noise.

Mr McEwen questioned whether the second set of large double doors would remain shut. Mr Hopes answered that they would be opened for the catering and would be available for emergency egress.

Ms and Mr McEwan in addressing the Sub-Committee raised the following points:

- Beenham was a small quiet, crime free village.
- 40 properties backed onto the site.
- It would be impossible to adhere to the 35-decibel noise limit.
- The site would be five meters below the other properties; therefore, the volume would be louder than if it was above the properties, especially on summer days.
- Vehicles leaving the property would disturb everyone during the night-time.
- Could disturb the tranquillity and dark skies of the Area of Outstanding Natural Beauty.

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- The single road system through the area had poor sightlines and no paths. The added traffic could increase the risk of those who walk and cycle through the village.
- Children use the nearby recreation ground and use the path nearby, which exits the site near the turning onto the site. This could be an increased hazard to children using the area.
- Drunk people from the event could harass children using the recreation ground.

Councillor Foot expressed that some of the comments made regarding traffic were not licensing matters. Ms McEwan stated that the traffic issue was about protecting children from harm.

Councillor Vickers asked whether the Objectors had faith in the noise mitigation plans and Ms McEwan explained that it felt that many representations would be needed to help keep the applicant accountable if he broke the rules and was unsure how to make a complaint. Councillor Foot explained that the Licensing Sub-Committee could get involved if conditions were not met.

Mr Toon asked whether there was any evidence to support Ms McEwan's claims that Duke of Edinburgh students may be harassed by drunk individuals as these students tended to walk past many licensed properties. Ms McEwan stated she had not, but it was a concern.

Mr Toon in addressing the Sub-Committee raised the following points:

- The Applicant had worked hard to engage with the community on the application and made significant changes such as reducing the maximum number of guests.
- The significant investment in noise mitigation meant that it should not have a significant impact on residents.
- Strict operating hours means that it would not be operated until dawn and would be used for older couples.
- Some of the events proposed at the barn had already been held in the past and there was no significant complaint.
- The application could bring excitement to Beenham and would not put existing venues at risk.
- The license could be removed if not adhered to.

The Chairman queried the best aspect of the application, and Mr Toon explained that it was the use of the existing barn for the good of the community.

Ms McEwan asked whether they needed a license for the previously held events and Mr Toon recalled that the Six Bells held a license to sell alcohol on the premises.

Councillor Boeck in addressing the Sub-Committee raised the following points:

- That the division within the community was regretful.
- That he supported the development of business within the community and supported the community's right to peace and quiet.
- If Members were to support the application, they should consider whether they could add further conditions.

Ms McEwan asked whether the Councillor had any idea what the added conditions could be and Councillor Boeck answered that he would leave that to the Members.

Mr Hopes and Mr Craig in summing up for the Sub-Committee made the following points:

- That the 35-decibel limit was related to amplified music.

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- There was no evidence to support the claim that people would become a nuisance to those using public areas.
- The fact that it was suggested that there were six supporters that were not local did not change the fact that there was still a large proportion of supporters from the village.

The Sub-Committee retired at 11:30 am to make its decision.

Having taken the representations into account, including the written representations made by Richard Palmer R. Le Blond, Nola Rice Wood, JWD Clark, Sandra Clark, Mr & Mrs Paul Jerome, Belinda Matthewman, Russell Green, Gillian Green, Neil Jackson, Graham Bragg, Elizabeth Bragg, Pat Owen, Shirley Moore, Beenham Parish Council, James White, Ian Smithers, Claudia Komzak, Lesley Scutter, Elisabeth White, Marie Pierro, Peter Machin, Peter Nordquist, Fenella Nordquist, Tom Whitter, Lucy Mackinnon, Simon Marshall, Nat Fenech, Christina Dudley, Andrew Lawrence, Sala Lawrence, Jeff Vile, Rosemary Brown, Hannah Redgrave, Ariana Roscoe, Theresa Callaghan, Alan & Melanie Wilkes, A.R. Gosman, Valerie Hartley, Chris Beadsmoore, Ray Northway, Luke Woods, Gaila Adair the Licensing Sub-Committee **RESOLVED** that Application 22873 be granted, subject to the conditions as set in the operating schedule, as modified below, as well as any relevant mandatory conditions in ss19-21 of the Licensing Act 2003 and secondary legislation.

(The meeting commenced at 10.00 am and closed at 11.30 am)

Name Councillor Paul Dick

Date of Signature 20/02/2024

Name Councillor Martha Vickers

Date of Signature 20/02/2024

Name Councillor Nigel Foot

Date of Signature 20/02/2024