

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Licensing and Regulatory Sub Committee held
at Room P1 - County Hall, The Rhadyr, Usk, NP15 1GA on Wednesday, 13th April, 2016
at 10.00 am**

PRESENT: County Councillors: L. Guppy, J. Higginson and D. Evans

OFFICERS IN ATTENDANCE:

Linda O'Gorman	Principal Licensing Officer
Chris Rann	Senior Licensing Officer
Ioan Gealy	Solicitor
Paula Harris	Democratic Services Officer

APOLOGIES:

Councillors

1. Apologies

No apologies.

2. Declarations of Interests

No declarations of interest.

3. Application for a Premises Licence for The Baa Brewery Ltd, Unit 4 Station Yard Industrial Estate, Station Road, Chepstow NP16 5PF

We received an application to consider an application for a Premises Licence under the Licensing Act 2003 for the Baa Brewery, Unit 4 Station Yard, Station Road, Chepstow, NP16 5PF.

The Chairman welcomed all to the meeting and introduced Members of the Sub Committee, Officers and representatives present. It was recommended that members consider and determine the application, on the basis of the information provided.

The Principal Licensing Officer presented the key issues, which summarised:

The application is for the following:

Supply of Alcohol (On and Off Sales) Monday to Sunday	Start 09.00hrs	Finish 23.00hrs
Recorded Music (Indoors and Outdoors) Monday to Sunday	09.00hrs	23.00hrs

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Live Music (indoors and Outdoors) Saturday to Monday	13:00hrs	22:00 hrs
Hours open to the Public Monday to Sunday	09.00hrs	23.00hrs

The Legislative Reform (Entertainment Licensing) Order 2014 permits live and recorded music for 500 persons between the 08.00hrs – 23.00hrs in on licensed premises without the requirement of a licence. The application referred to in 3.1 above requests live and recorded music and providing the venue does not exceed 500 people the applicant can proceed without the need of a licence.

Despite the venue being in a communitive impact area no objection had been received from Police or Environmental Heath.

Representation had been received from one person, living near-by, main concerns from the representation were:-

- The building that is proposed for this development has no proper sound proofing so any live or loud music will not be baffled in any way would almost certainly cause a large amount of noise
- Owing to the nature of the approach to the address and given my experience of “Race Day” crowds, there will almost certainly be a build-up of people loitering in the station car park after events. I have had many instances of drunks urinating in my garden while awaiting transport home and on one occasion I came out to find someone sleeping in the front garden. This will obviously have a further detrimental effect to my property, almost certainly devaluing it further and making it very hard to sell should the need arise. It also generates other more general security questions for the many small businesses in the immediate area that have partly on their quiet situation to avoid unwanted attention, not to mention the fact that as a single female living alone, I am particularly vulnerable.
- The railway station and line that it serves, though not carrying many late night passenger trains, is a trunk freight route between the Midlands and South Wales and is thus busy with heavy trains. This has never been a problem in the past, late at night, as there has not been many people around the station or tracks, but this development will almost certainly change that. There is a real danger of people taking a short cut.

Chair informed the meeting that the objector did not wish to attend the hearing. However, the representation was presented.

Chair invited applicant to address the Sub Committee and we were presented with information that had been provided to the objector. The applicant responded as follows:

The brewery is 2200 sq ft, it consists of a 200sq ft brewery area, storage and viewing area. To the side of the main area there is a 200sq ft tap room (Bar) with a toilet, Kitchen and shower room attached. The brewery is situated opposite Chepstow Railway Station and a 3 minute walk

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from the centre of Chepstow It also has a large yard area. It was noted that although the internal layout plan was omitted on the report, Mr Heaven submitted it on the day of the meeting.

The Members were invited to ask questions based on the evidence provided. During discussion we noted:

- Clarification regarding off-sales.
- Opening hours.
- Staffing arrangements.
- Security and site access.
- Safety.

The committee was advised that visitors to the brewery would be able to taste the beer on site and buy sealed packs to drink off site. Committee were reassured that there would not be a bar area as this would not be in keeping with Brewery's artisan approach.

In terms of hours, a query was raised why the Premises required a license till 23:00. In response we were advised that the Brewery would like to hold 5-6 beer festivals through the year. But for the rest of the year, the brewery will close when staff finish brewing for the day at approx. 5pm in the evening.

Concerns were expressed regarding safety of having glass pint glasses on site.

Following questioning Officers and the applicant left the meeting to allow the Committee the opportunity to deliberate and discuss the findings.

Upon re-commencement, The Chair advised that the Committee had considered the application under the Licensing Act 2003 and resolved to grant a license. In advising the applicant of reasons, the Solicitor highlighted:

In reaching the decision we have had regard to:

- **the Licensing Act 2003**
- **the licensing objectives,**
- **the Council's licensing policy,**
- **the Guidance issued by the Home Office**

Taking into account all of the above matters, any other relevant legislation, for example, the Human Rights Act 1998 and all the relevant circumstances of the application we have decided to:

Grant the application for a premises licence for the licensable activity applied for with one condition.

Poly carbonate or toughened glass to be used outside.

Reasons:

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The subcommittee felt that glass pint glasses outside would be a safety concern.

The objector may appeal to a magistrates' court against this decision within 21 days of being notified of the decision.

The applicant and objector will receive written confirmation of this decision within 5 working days.

The meeting ended at 11.15am