1. **APPOINTMENT OF CHAIRMAN**

RESOLVED that Councillor Marshall be appointed as Chairman for this hearing of the Licensing Sub-Committee.

2. **ABSENCE OF MEMBERS (IF ANY)**

None.

3. **DECLARATION OF MEMBERS’ DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)**

None.

4. **LICENSING SUB-COMMITTEE HEARING PROCEDURE**

The Chairman explained the procedure that would be followed at the meeting.

5. **JET LAG GIN LTD**

The Sub-Committee considered an application for a New Premises Licence, under section 17 of the Licensing Act 2003.

It was noted that this application was for supply of alcohol (off sales) and not for provision of late night refreshment, as stated in the report.

6. **MOTION TO EXCLUDE THE PRESS AND PUBLIC**

RESOLVED that the parties be excluded from the meeting, together with the press and public, in accordance with Regulation 14(2) of the Licensing Act 2003 (Hearings and Regulations 2005).

Prior to exclusion, parties were informed that the decision would be announced at this Licensing Sub-Committee, but full written details of the decision would be communicated within 5 working days.
7. **DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION**

The Sub-Committee deliberated in private session, accompanied by the Officer from HB Public Law and the Governance Officer.


**RESOLVED**

**TO GRANT THE PREMISES LICENCE** (including the conditions agreed with the Police and one additional condition):

**Hour for Licensable Activities:**

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**Conditions agreed with Police**

- All sales of alcohol will only be made online to persons who have become a member/registered their details with the business. Becoming a member/registering will be done by completing a questionnaire/personal information form (payment card details will be stored with an appropriate financial services company).
- Alcohol will be sent out via courier and this will be sent “signed for”.
- Alcohol shall only be delivered to a residential or business address and not to a public place.
- The public will not have access to these premises.
- In the event that the licence holder moves from these premises, the licence will be surrendered.

**Additional condition**

- The applicant shall, as far as possible, ensure that deliveries and courier collections to and from the property, as well as when the applicant makes deliveries to the post office, happen outside of usual school drop off and pick up times.
REASONS:

The Licensing panel carefully considered all the relevant information including:

- Written and oral representations by all the parties
- The Licensing Act 2003 and the steps that are appropriate to promote the licensing objectives
- The Guidance issued under section 182 of the Licensing Act 2003
- The Council’s Licensing Policy
- Human Rights Act 1998

The Licensing panel hearing was held in person.

In making its decision, the Licensing panel carefully considered the application and all written representations, as set out within the report and the verbal representations made at the hearing by the applicant and Councillor Houston.

The main areas of concern raised by the objectors related to protection of children from harm and public nuisance. The panel noted that some of the representations made included matters that are outside the scope of the licensing sub-committee and the applicant is reminded to ensure that he addresses any other requirements needed to operate the business from these premises.

Whilst noting the schools/nurseries in the area, the panel did not consider that these premises would create a risk to children as such. It was noted that there would not be any signage or changes to the front of the property and whilst people may be aware of the business being there, it was an online business only. The panel also heard from the applicant that he will be living at the property with his young child.

The panel heard from the applicant that he would deliver parcels to the post office after 2pm each day for any sales that are made that day and that if necessary he would use a courier company to collect the parcels. In addition, the applicant informed the panel that he would receive his deliveries of gin every three months – one pallet load.

Councillor Houston made submissions about the possibility of the business succeeding and expanding with the consequence that deliveries and drop offs of stock (including the quantity) may increase, and in turn there might be public nuisance caused. In response, the applicant explained that if the business expanded to a point, he would use a third party distribution company as he would not be able to manage the business on his own.

In granting the licence, the panel is mindful of the possibility of increased traffic at school drop off and collection times and so adds the condition noted above.

The Licensing panel believes that the measures taken above, with the conditions added, are appropriate and proportionate in the circumstances to promote all the licensing objectives.

Right to appeal
Any party aggrieved with the decision of the licensing panel on one or more of the grounds set out in schedule 5 of the Licensing Act 2003 may appeal to the magistrates’ court within 21 days of notification of this decision.

Date: **9 July 2021**

9. **ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT**

None.

The meeting finished at 11.15am