

**NEW FOREST DISTRICT COUNCIL
LICENSING ACT 2003**

APPLICATION: Ringwood Brewery, Christchurch Road, Ringwood

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on Tuesday, 25 June 2013 at 10.00am**

1. Members of the Licensing Sub-Committee

Councillor Beck - Chairman
Councillor Dow
Councillor Puttock

2. Parties and their Representatives attending the Hearing

Jodie Ringer, Designated Premises Supervisor, Marston's PLC – Applicant
Michelle Hazlewood, John Gaunt & Partners – Solicitor for the Applicant

Objectors:

Cllr J Heron, Ringwood Town Council
Mrs J Aiken
Mr Conway
Mrs V McMaster
Mr Woolgar

3. Other Persons attending the Hearing

Observers:

Cllr Rippon-Swaine
Mrs A Righton
P Weston

4. Parties not attending the Hearing

Mr A AlKhalisi
Mrs M Arnold
Miss A Sale & Mr C Rowland
Miss K Stevens & Miss J Freeman

5. Officers attending to assist the Sub-Committee

Amanda Wilson – Legal Advisor
Melanie Stephens - Clerk

6. Decision of the Sub-Committee

The application is granted on the following terms and conditions.

Licensable activities and times permitted:

B: Films (on and off premises)

Monday 08:00 to 23:00
Tuesday 08:00 to 23:00
Wednesday 08:00 to 23:00
Thursday 08:00 to 23:00
Friday 08:00 to 23:00
Saturday 08:00 to 23:00
Sunday 08:00 to 23:00

C: Indoor sporting events

Monday 08:00 to 23:00
Tuesday 08:00 to 23:00
Wednesday 08:00 to 23:00
Thursday 08:00 to 23:00
Friday 08:00 to 23:00
Saturday 08:00 to 23:00
Sunday 08:00 to 23:00

E: Live Music (on and off premises)

Monday 08:00 to 23:00
Tuesday 08:00 to 23:00
Wednesday 08:00 to 23:00
Thursday 08:00 to 23:00
Friday 08:00 to 23:00
Saturday 08:00 to 23:00
Sunday 08:00 to 23:00

F: Recorded Music (on and off premises)

Monday 08:00 to 23:00
Tuesday 08:00 to 23:00
Wednesday 08:00 to 23:00
Thursday 08:00 to 23:00
Friday 08:00 to 23:00
Saturday 08:00 to 23:00
Sunday 08:00 to 23:00

G: Performances of Dance (on and off premises)

Monday 08:00 to 23:00
Tuesday 08:00 to 23:00
Wednesday 08:00 to 23:00
Thursday 08:00 to 23:00
Friday 08:00 to 23:00
Saturday 08:00 to 23:00
Sunday 08:00 to 23:00

J: Supply of Alcohol (on and off premises)

Off premises

Monday 08:00 to 23:00
Tuesday 08:00 to 23:00
Wednesday 08:00 to 23:00
Thursday 08:00 to 23:00
Friday 08:00 to 23:00
Saturday 08:00 to 23:00
Sunday 08:00 to 23:00

On premises

Monday 10:00 to 23:00
Tuesday 10:00 to 23:00
Wednesday 10:00 to 23:00
Thursday 10:00 to 23:00
Friday 10:00 to 23:00
Saturday 10:00 to 23:00
Sunday 10:00 to 23:00

L: Hours Open to the Public

Monday 08.00 to 23:30
Tuesday 08.00 to 23:30
Wednesday 08.00 to 23:30
Thursday 08.00 to 23:30
Friday 08.00 to 23:30
Saturday 08.00 to 23:30
Sunday 08.00 to 23:30

Non Standard Timings:

External area known as the yard shall not be used for the provision of regulated entertainment or the supply of alcohol after 21:00

The external area known as the yard will close to the public at 21:30

Mandatory conditions:

As provided in the Licensing Act 2003

Other conditions:

1. Alcoholic drinks may not be removed from the premises in open containers save for consumption in external areas provided for that purpose.
2. No customers carrying opened bottles of alcoholic drink upon entry shall be admitted to premises during hours open to the public.
3. The Designated Premises Supervisor will undertake a risk assessment should unusual events take place and if they consider it appropriate will employ door supervisors.

4. When door supervisors are employed they shall be licenced by the Security Industry Authority.
5. A written or electronic incident record will be provided and maintained at the premises. The record must include the time and date of the incident and the author of the entry.
6. If the member of staff creating the incident book entry has difficulties reading or writing then the entry may be made by another member of staff. The entry should be read back to the person creating the entry and both members of staff should be recorded.
7. Any incidents of physical altercation or disorder, physical ejection, injury, seizure of ID or drug misuse must be recorded in the incident book. It will remain on the premises at all times and will be available to the police for inspection upon request.
8. At the end of each day the incident book will be checked by the manager on duty and any entries should be reviewed and endorsed. If no incidents occurred this should be included in the incident book.
9. A written or electronic log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked and dated on a weekly basis by the Designated Premises Supervisor.
10. The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.
11. The record of refusals will be retained for 12 months.
12. Prominent and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
13. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
14. Children under the age of 16 shall not be permitted to enter or remain at the premises after 23:00.
15. There will be a Challenge 21 policy operating the premises. Challenge 21 means that the Premises Licence Holder shall ensure that every individual, who visually appears to be under 21 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.
16. Acceptable identification for the purposes of age verification will include a driving licence, passport, HM Forces ID card or photographic identification bearing the "PASS" logo and the person's date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

17. 'Challenge 21' posters shall be displayed in prominent positions at the premises.
18. Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.
19. All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training. All staff will undertake e-learning refreshers.
20. All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.
21. The combined occupancy of the rooms known as the Pin Room and Long Room must not exceed 50 visitors.
22. When the room known as the Pin Room is used in connection with a brewery tour there will be no supply of alcohol or regulated entertainment after 21:00.
23. When the rooms known as the Pin Room and Long Room are used for private hire events there will be no supply of alcohol or regulated entertainment after 23:00.
24. The number of events taking place in the external area known as the yard will be restricted to no more than 6 times per annum.
25. On the days when events are taking place in the external area known as the yard, the rooms known as Pin Room and Long Room shall not be used for the supply of alcohol or regulated entertainment.
26. A written or electronic log shall be kept of all brewery tours, private hire bookings and external events will be available for inspection immediately upon request by the Licensing Authority.

7. Reasons for the Decision

In reaching its decision the Sub-Committee must only have regard to the four licensing objectives, which are:-

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- The protection of children from harm

The Sub-Committee has considered all the representations made to it, both written and oral. The Sub-Committee has noted that there were no objections from any of the Responsible Authorities, including and in particular the chief

officer of police, the fire and rescue authority and the local planning authority, as representations were made by local residents on issues which fall within the remit of these bodies. The Sub-Committee also noted that a number of objections had been withdrawn prior to the hearing following a mediation meeting between the Applicant and local residents.

As a result of the mediation meeting, the Applicant considered it appropriate to revise the extent of their application and during the course of the hearing the Applicant offered a number of revisions and conditions.

Having considered all the representations, the Sub-Committee is of the view that a grant of the licence with the imposition of conditions as set out in section 6, will promote all four of the licensing objectives and satisfy the majority of the concerns raised by local residents.

Whilst some issues relating to potential for increased traffic and concerns regarding road safety when external events were taking place were raised by residents, the Sub-Committee felt that the Applicant's proposals for parking at such events would go some way to address any potential parking issues. In any case, parking/highways issues which do not impact on the statutory licensing objectives were not relevant considerations under the Licensing regime. The Sub-Committee would suggest that when external events are to take place, the Applicant consult with the local residents and seek advice from the Highways Authority.

The Sub-Committee was impressed by the steps that the Applicant had taken to consult with local residents and hopes that this would continue in the future to try and resolve amicably any concerns. In the event that problems do arise and remain unresolved, the local residents would be able to ask the Licensing Sub-Committee to review the licence.

Date: 25 June 2013

Licensing Sub-Committee Chairman: Cllr G C Beck

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Decision notified to interested parties on 1 July 2013