

LICENSING & GAMBLING ACTS SUB-COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 3 MAY 2022

Present:

Councillor Heather Liggett (Chair)

Councillor Pat Kerry

Councillor Michael Roe

Also Present:

D Stanton	Senior Scrutiny Officer
S Harpham	Licensing and Enforcement Officer
D Rowley	Licensing and Enforcement Officer
H Cash	Chartered Legal Executive

Mr D Tomlinson Applicant

Mr R

LGS/ Appointment of Chair for the Meeting

11/2

0-21 RESOLVED – That Councillor H Liggett be elected Chair for this meeting of the Licensing & Gambling Acts Sub-Committee.

LGS/ Declarations of Interest

12/2

0-21 Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no declarations of interest.

LGS/ Matters of Urgency - Public Session

13/2

0-21 There were no matters of urgency discussed at this meeting.

LGS/ Report of the Environmental Health Team Manager

14/2

0-21 The Sub-Committee considered a report of the Environmental Health Team Manager. The purpose of the report was to hear representations made under the Licensing Act 2003.

The applicant was present at the meeting and confirmed receipt of the report and procedure to be followed at the meeting.

The Licensing and Enforcement Officer explained that on 14 March 2022 North East Derbyshire District Council received a Premises License application for the Lockdown Distillery – Dronfield. The application was made by Mr D Tomlinson who resided at the same address.

Members noted that the application sought to allow the retail sale / supply of alcohol via such facilities as online sales and telephone orders by way of off sales only.

The applicant had also agreed to add additional conditions to the operating schedule following discussions with a concerned resident.

It was stated that on 14 April 2022 a joint representation was made from two members of the public, Mr and Mrs Rushmoor. The Sub-Committee considered this representation which was attached at appendix 4 to the agenda. The party had a legal right to make representations. Mr and Mrs Rushmoor were not present at the meeting.

The applicant explained that this was a small premises dealing with online or telephone sales only and no members of staff other than himself. There would be a small vehicle which would assist in delivering any alcohol sales.

RESOLVED – The decision of the Licensing Sub-Committee (in exercise of its powers delegated by North East Derbyshire District Council as Licensing Authority) was to:

GRANT the Premises Licence application subject to:

- A. The mandatory conditions
- B. Conditions consistent with the Operating Schedule,
- C. The additional conditions offered by the Applicant prior to the hearing following discussions with a resident, namely;
 - 1. There will be no access to members of the public to 21 Gosforth Green for the off sale / supply / or collection of alcohol
 - 2. One collection / pick up a day via a courier service will be in a van no larger than a standard size Ford Transit/Tourneo
 - 3. There will be two supplies deliveries a month (i.e. alcohol & bottles)

LGS/ 15/2 **Exclusion of Public**

0-21 That the public be excluded from the meeting during the discussion of the following item of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

LGS/ 16/2 **Report of the Environmental Health Team Manager**

0-21 The Chair of the Sub-Committee welcomed the applicant and asked him to confirm receipt of the report and procedure for the meeting.

The Sub-Committee then considered a report of the Environmental Health Team Manager. The purpose of the report was to consider whether to suspend or revoke a personal license, under the Licensing Act 2003, following a licence holders conviction for a relevant offence.

Members heard from the applicant in-person who explained the circumstances to the conviction for the relevant offence.

Members of the Sub-Committee, the Sub-Committee's Legal Advisor, and the clerk remained in the Chamber whilst the Sub-Committee reached its decision.

All parties were then re-admitted to the Chamber and advised of the Sub-Committee's decision.

RESOLVED – That the decision of the Licensing Sub-Committee (in exercise of its powers delegated by North East Derbyshire District Council as a Licensing Authority) was to:

REVOKE the Personal License.

LGS/ **Matters of Urgency - Closed Session**

17/2

0-21

There were no matters of urgency discussed at this meeting.