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## LICENSING ACT 2003 SUB-COMMITTEE

Thursday, 23 August 2018

Present: Councillors RL Abbey P Stuart  
C Meaden

### 10 APPOINTMENT OF CHAIR

**Resolved – That Councillor P Stuart be appointed as Chair for this meeting.**

### 11 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Sub- Committee were asked to declare any disclosable pecuniary or non pecuniary interests in connection with any application on the agenda and to state the nature of the interest.

No such declarations were made.

### 12 APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - WIRRAL DISTILLERY, UNIT 3, CLAREMONT FARM BUILDINGS, OLD CLATTERBRIDGE ROAD, CLATTERBRIDGE

The Managing Director for Delivery reported upon an application that had been received from Epic Spirits Limited for a Premises Licence in respect of Wirral Distillery, Unit 3, Claremont Farm Buildings, Old Clatterbridge Road, Clatterbridge.

It was reported that the premises does not currently hold a Premises Licence and proposed hours of operation were outlined within the report.

The Applicant had submitted an operating schedule setting out how the business would be conducted/managed in accordance with the four licensing objectives. A copy of the full application was available. Members were advised that the proposals set out in the operating schedule may become conditions of the licence should the application be granted.

In respect of the application, 18 representations had been received from local residents. The representations related to concerns of potential anti-social behaviour caused by customers congregating within the vicinity of the premises after purchasing alcohol. The representations also related to concerns that nuisance could be caused by customers leaving the premises at a late hour. Copies of the representations were available.

The applicants Mr P Golightly, as well as and Mr E Healing from Epic Spirits Limited were in attendance together with local residents, Mr Wright, Mr Baker and Mrs Brassey.

The Licensing Manager confirmed that all documentation had been sent and received and that an additional email from Mr Golightly had been circulated. The Licensing Manager informed the Committee that she would read out a statement

from a local resident who had made a written representation who was unable to attend the hearing. Members were informed that following a meeting held on 16 August 2018 between the Applicant and local residents objecting to the application, a proposal to amend the closing hours from 11pm to 7pm had been suggested.

Mr Golightly and Mr Healing addressed Members and outlined how the premises would operate should a Premises Licence be granted. Members heard how it was not the Applicant's intention to operate as a bar or a pub. He explained how the premises would be a 'show case' premises, mostly focused on research and development. He informed that tours would operate at the premises with the opportunity for attendees to sample small amounts of gin and to purchase any bottles at the end of the tour.

The Applicant reported upon the meeting held with objectors on 16 August whereby he expressed his willingness to amend the closing hours and the sale of alcohol from 11pm to 7pm. He further explained that proposed events could not go ahead under this amended licence, however, it was explained that Temporary Event Notices could be sought.

Mr Golightly and Mr Healing responded to questions from Members of the Sub Committee, local residents Mr Wight, Mr Baker & Mrs Brassey and Mr A Bayatti, Legal Advisor to the Sub Committee.

In response to questions raised, Members heard clarification from the Applicant regarding the numbers of people who would attend tours and events. They heard how a maximum of 10/15 people would be present at tours and that they were organised infrequently within day time hours. They further explained that events can accommodate up to 100 guests, however, there are no current plans to host events. In response to a further question, Members were informed that gin would be distilled on the premises for demonstrational and developmental purposes and that only a small amount would be produced.

Mr D Baker then addressed the Committee in objection to the application. Members heard how residents were concerned about the possibility of disruption associated with a premises producing and providing alcohol. He explained how residents had been disrupted by neighbouring licensed premises and his concerns that this would be exacerbated with the granting of a further alcohol licence within the immediate vicinity. He then explained further concerns over increase in traffic and potential for noise disturbance should events occur.

The Licensing Manager read out the statement from the local resident who could not attend in relation to noise nuisance and associated traffic problems.

In response to concerns raised Mr Golightly further advised his intentions to create a 'show case' premises in order to develop and establish his business and not to operate the premises as a pub or bar.

In determining the application members took into account section 11 of the guidance in respect of the review mechanism provided by the Licensing Act 2003.

**Resolved –**

**(1) That in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.**

**(2) That the application for a premises Licence in respect of Wirral Distillery, Unit 3, Claremont Farm Buildings, Old Clatterbridge Road, Clatterbridge be granted with the following hours:**

**Sale by Retail of Alcohol**

<b>Monday to Saturday</b>	<b>09:00 to 19:00</b>
<b>Sunday</b>	<b>10:00 to 18:00</b>

**Hours Open to the Public**

<b>Monday to Saturday</b>	<b>09:00 to 19:00</b>
<b>Sunday</b>	<b>10:00 to 18:00</b>

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