



# Rutland County Council

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Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Thursday, 27th April, 2023 at 7.00 pm

<b>PRESENT:</b>	Councillor E Baines (Chair) Councillor G Brown J Dale	Councillor P Browne (Vice-Chair) Councillor W Cross Councillor A MacCartney
<b>ABSENT:</b>	Councillor N Begy Councillor K Bool Councillor R Payne	Councillor D Blanksby Councillor A Brown Councillor R Wilson
<b>OFFICERS PRESENT:</b>	Sarah Khawaja	Head of Legal and Democratic Services
<b>IN ATTENDANCE:</b>	Councillor K Bool Councillor G Waller	Ward Member Ward Member

## 1 APOLOGIES

Apologies were received from Councillors A Brown, Begy, Bool, Payne, Blanksby and Wilson.

## 2 DECLARATIONS OF INTERESTS

There were no declarations of interest.

## 3 PETITIONS, DEPUTATIONS AND QUESTIONS

No petitions, deputations or questions had been received however, public representation had been received and would be dealt with under agenda items 4 and 5.

## 4 NEW PREMISES LICENSING APPLICATION - KIOSK NEAR NORMANTON CHURCH, RUTLAND WATER

The Chairman introduced the parties in attendance and the procedure to be followed.

Darren Dolby, Licensing Officer for Peterborough City Council and Rutland County Council introduced the report, he confirmed that representations had been received from two local Councillors and five local residents, he also highlighted that no representations had been received from any of the responsible authorities. He

highlighted in paragraph 3 dealt with the authorisations and times applied for. After consultation, it was agreed by the applicant that they would amend the hours on the licence to sell alcohol. From 1<sup>st</sup> November – 28/29<sup>th</sup> February, the hours would be from 9am – 4pm. From 1<sup>st</sup> March – 31<sup>st</sup> October, the hours would be from 9am – 7pm.

In paragraph 6, the applicant proposed the following conditions to be added onto the licence:-

- Notices on the grassed area to signal the boundaries of the licensable area and where alcohol bought could be consumed.
- Notices on kiosk to advise customers the alcohol must be consumed within the licensable area and staff to remind customers of this.

Mr W Kirstein, applicant on behalf of Anglian Water was invited to make his representations. The applicant highlighted the main reason for obtaining the licence for alcohol was to serve wedding guests who used Normanton Church as a drinks reception as part of a wedding package whilst photographs would be taking place. The Kiosk would remain open to the public within the opening hours but only beers and wines would be available, the Kiosk would not serve spirits. For those customers, it would be a 1 drink per customer which would be the Kiosk's internal policy.

A Member asked a question around the staffing of the drinks reception and the detail of signage to show the area in which the alcohol would be consumed. The applicant responded by saying it would be staffed like any other wedding reception, the Kiosk team would serve and clean up after each booking. With regards to signage, wooden posts and signage would notify the public where the alcohol could be consumed. The alcohol would be decanted into a separate cup before being passed to the customer.

It was highlighted to Members that the licence stated it would start from 9am but the applicant assured the Committee they would not look to be selling alcohol around that time.

A member asked a question around the accuracy of the map, the licensing officer highlighted that clarification had been asked for the boundaries to be defined. The applicant had provided the officer with what3words for the 3 boundaries of the site. If approved, they would be incorporated into the plan.

The applicant also explained that the extensive area for the license was to provide flexibility for when photographs would be taken for wedding parties.

An interested party asked the applicant why they had not applied for the license for Normanton Church. The applicant responded by saying practically the Church would not be suitable to serve alcohol from. The licensable area covered the Church if granted and would look to serve alcohol within the church but the set up for any drinks stand would be outside of the Church. The applicant was happy to amend the licensing hours from 9am to 11am which would be what time wedding guests would usually arrive.

A question was asked around the staffing levels for the licensable area. The applicant responded by saying the Kiosk would be staffed and the area of the license would be policed by the staff from the Kiosk.

The Committee heard representations from 5 interested parties who raised concerns over a number of issues and these were:-

- The potential risk of drunk and disorderly levels around the edge of the water.
- the potential rise in public nuisance and noise levels for local residents and neighbours who live very close to the Kiosk.
- The site was away from car parks and secluded, the site would need detailed security to ensure public safety and the prevention of public nuisance.
- The issues around numbers of staff to the ratio of potential wedding guests and members of the public using the site at the same time.
- The congestion levels of pedestrian and cyclists on the path which goes through the licensable area and the added risk of alcohol being served from the Kiosk adding to that issue.
- The increased likelihood of regular disturbances around noise, litter and anti-social behaviour.

After closing statements from all parties, it was clarified by the applicant that CCTV would be installed which would cover the area outside of the Kiosk but was not included within the original application. The legal advisor then informed all parties the summary of the case.

At 8.50pm the Committee adjourned to consider its decision. It reconvened at 10.00pm and the clerk of the Committee advised that the decision would be communicated to all parties within 5 working days as there were several issues which the Committee wanted to consider further.

## **RESOLVED**

It was subsequently confirmed that the decision was to **GRANT** the licence under the Licensing Act 2003 for the Kiosk at Rutland Water subject to the conditions proposed in the application, the modification to the operating hours proposed by the applicant at the hearing and the following modified conditions:

### **Hours of Operation**

From 1<sup>st</sup> November to 28/29<sup>th</sup> February - 11am to 4pm

From 1<sup>st</sup> March to 31<sup>st</sup> October - 11am to 7pm

### **Modified Conditions:**

The standard CCTV conditions:

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises when they are open to the public and must be able to produce/download/ burn CCTV images upon reasonable & lawful request by a police officer or an authorised officer of the licensing authority or, if not present, the conversant member of staff shall produce the footage as described within 48 hours of a reasonable & lawful

request. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (ie. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.

2. The premises licence holder will ensure that a digital CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document ([www.ico.org.uk](http://www.ico.org.uk)) regarding installation of CCTV is provided at the premises.

3. No spirits.

4. No drinks above 23% abv to be sold.

Where there is a requirement for records to be stored for 2 years in the proposed conditions this will be increased to 4 years.

**5 PREMISES LICENCE VARIATION APPLICATION - BILLS BAR, 2-4 GROSVENOR HOUSE, MELTON ROAD, OAKHAM, RUTLAND, LE15 6AX**

As the meeting reached 10.00pm, it was decided that the variation application for Bills Bar would be arranged for a different hearing date.

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**The Chairman declared the meeting closed at 10.00pm.**

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