

DERBYSHIRE DALES DISTRICT COUNCIL
LICENSING & APPEALS SUB-COMMITTEE
Minute Item 426/23

DECISION

Licensing Act 2003

Hearing held on Wednesday 17th April 2024 at 10:30am
Committee Room, Town Hall, Matlock DE4 3NN

Full name of Applicant: Peak Ales Ltd

Premises Address Artisan Units 3 – 6, Longstone Lane, Ashford
in the Water, DE45 1NH

Application A New Premises Licence

On 23rd February 2024, an application was received from Peak Ales Ltd. The application is for a Premises Licence, to allow the sale of alcohol at Artisan Units, Unit 3, Longstone Lane, Asford-in-the-Water.

Members of the Sub Committee Councillor John Bointon (in the Chair)
Councillor Steve Wain
Councillor Joanne Linthwaite

Legal Advisor Kerry France, Solicitor

Officers in Attendance Grace Dowson Licensing Manager
Lucy Harrison Democratic Services Assistant

Date of Decision 17th April 2024

Reason for attendance at the Sub Committee:

The Committee is asked to consider a representation objecting to the application. This was received from a resident. The objection has been made on the grounds that public safety and the prevention of public nuisance licensing objectives, would be undermined if the licence was granted.

Recommendation

That the application for a Premises Licence, made by Peak Ales Ltd, to allow the sale of alcohol to take place at Peak Ales Ltd, Artisan Units, Unit 3, Longstone Lane, Asford- in the -Water, be determined.

Applicant and their Representations:

Robert Graham Evans – Applicant (Peak Ales Ltd)

Persons making Representations.

Valerie A. Brown (Written representations, not in Attendance at the hearing.)

Public

The meeting was conducted in public, with the agreement of all parties.

There was no Public Present

The Sub-Committee withdrew into private session to consider its decision and were advised by the Sub-Committee's legal representative that only evidence relevant to the four Licensing objectives could be taken into consideration and that it was important that any conditions attached to a Licence should be to promote the Licensing objectives.

Decision

That having considered all the evidence put before it, the Sub-Committee determined that the Applicant should be granted the Premises Licence.

Reasons

In reaching its decision the Sub-Committee had regard to

- The licensing objectives,
 - The prevention of Crime and Disorder
 - Public Safety
 - The protection of Children from harm
 - The prevention of public nuisance.
- The Council's statement of licensing policy,
- The Statutory Guidance issued under section 182 of the Licensing Act 2003
- The Application for a Licence
- The Report by the Licensing Manager
- Both the written and oral representations made to the Sub-Committee by
 - The Applicant
- The written representations made to the Sub-Committee by
 - Other Party Representations

The Sub-Committee considered the report and comments made by the Licensing Manager including details of the application for a Premises Licence, made by Peak Ales Ltd, to allow the sale of alcohol to take place at Peak Ales Ltd, Artisan Units, Unit 3, Longstone Lane, Asford- in the -Water.

The Sub-Committee feel that the conditions agreed with the Police and Trading Standards, together with the proposals submitted by the applicant and the mandatory conditions as per pages 32 to 35 of the application are sufficient to ensure that the four licensing objections are met.

- Prevention of Crime and Disorder
- Public Safety
- Protection of Children from Harm
- Public Nuisance

The Sub-Committee took note of the objector's comments but feel that the licensing objectives have been met by the application.

In all the circumstances and taking into account the 4 Licensing Objectives which are key and paramount, on the evidence before them the Sub-Committee feel this decision is appropriate and proportional to ensure the Premise Application can be granted whilst promoting the Licensing Objectives.

Date of decision: 17th April 2024

Councillor John Bointon
Chair
Licensing & Appeals Sub-Committee

There is a right of appeal to the Magistrates Court against the decision of the licensing authority.

Such right of appeal must be exercised within 21 days of receipt of this notice.

How to appeal

You should appeal in writing to the designated officer for the magistrates' court in the area where the premises is situated.

In Derbyshire this is usually:

North East Derbyshire & Dales Magistrates Court

Chesterfield magistrates court,
Chesterfield Justice Centre
Tapton Lane
Chesterfield
S41 7TW

or

Southern Derbyshire Magistrates Court

The Court House
St Mary's Gate
Derby
DE1 3JR

You must make your appeal within 21 days of being formally told of the Licensing Committees' decision in writing.