

## LICENSING SUB-COMMITTEE

20 DECEMBER 2021

### PRESENT

Councillor Jarman (in the Chair).  
Councillors J. Holden, and S. Thomas

#### In attendance

J. Lenehan	Litigation Solicitor (Locum),
J. Boyle	Licensing Team Leader,
N. Owen	Governance Officer.

### 9. APPLICATION FOR THE GRANT OF A FULL VARIATION TO A PREMISES LICENCE UNDER S34 LICENSING ACT 2003 AT DUNHAM PRESS CIDER, BOUNDARY FARM, SAWPIT STREET, DUNHAM MASSEY, ALTRINCHAM, WA14 5SJ

The Head of Regulatory Services submitted a report informing Members of an application for the grant of a full variation to a premises licence for Dunham Press Cider, Boundary Farm, Sawpit Street, Dunham Massey, Altrincham, WA14 5SJ which had attracted a representation from a local resident. All parties present at the hearing were invited to address the Sub-Committee.

Representations were made in support of the application by Mr. N. Semper, Licensing Consultant and Agent and Mr. C. Hewitt, Applicant.

#### RESOLVED –

- 1) That the application by Mr. N. Semper, Licensing Consultant and Agent on behalf of Mr. C. Hewitt for the grant of a full variation to a premises licence for Dunham Press Cider, Boundary Farm, Sawpit Street, Dunham Massey, Altrincham, WA14 5SJ be granted subject to compliance with the conditions outlined in the decision notice.
- 2) That the issue of the Licence be delegated to the Head of Regulatory Services.

### LICENSING SUB-COMMITTEE DECISION NOTICE

**Sub Committee Members:** Councillor D. Jarman (Chairperson)  
Councillor J. Holden  
Councillor S. Thomas

**Applicant:** Nick Semper, Licensing Consultant and Agent on behalf of Mr. Chris Hewitt

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**Type of Licence:** **Grant of a full variation to a Premises Licence: Dunham Press Cider, Boundary Farm, Sawpit Street, Dunham Massey, Altrincham, WA14 5SJ**

**Representors:** Local resident – not in attendance  
Mr. M. Drakonakis

**Parties Present:** On behalf of Applicant – in attendance  
Mr. N. Semper, Licensing Consultant and Agent  
Mr. C. Hewitt, Applicant

Officers

James Lenehan – Litigation Solicitor (Locum)  
Joanne Boyle – Licensing Team Leader  
Natalie Owen – Governance Officer

**Date of Hearing:** 20 December 2021  
**Time Commence:** 6.30 p.m.  
**Time Terminated:** 7.37 p.m.

**LICENSING SUB-COMMITTEE DECISION**

The Sub-Committee decided that the representation received from a local resident was not a relevant representation as it referred to Temporary Event Notices which were not within the remit of the Sub-Committee. The representation referred to past events, however those events were held in a different area of the premises.

To grant a full variation of the premises licence as follows:-

Alcohol – Off Sales  
Monday – Sunday                      10:00 – 22:30

Alcohol – On Sales  
Monday - Sunday                      10:00 – 22:30

Opening Hours  
Monday – Sunday                      10:00 – 22:30

Condition 8 “The terms and conditions of the company website will contain the following: -

- a) The company will not sell alcohol to any person until it has been verified that the person is over 18 years of age.
- b) An age confirmation requirement when registering to purchase.
- c) Reference to the operating of a Challenge 25 policy.
- d) That no parcels will be left by the courier if the person at the delivery address is under 18 years of age”. be removed from the licence and replaced with “The terms and conditions of the business website will contain the following: -

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- a) The business will not sell alcohol to any person until it has been verified that the person is over 18 years of age.
- b) An age confirmation requirement when registering to purchase.
- c) Reference to the operating of a Challenge 25 policy”.

Condition 9 “The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol being handed over. No alcohol shall be handed over to a person under 18. The only acceptable proof of identity shall be a photographic driver's licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect” be removed from the licence and replaced with “The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol being handed over. If the person at the point of delivery is under 18, the delivery will not be made”.

The only acceptable proof of identity shall be a photographic driver's licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect.

Condition 12 “Use of beer gardens or outside areas should not be permitted before 1000 hours and beyond 1800 hours” be removed from the licence.

### **CONDITIONS**

Any mandatory conditions which must be included under the Licensing Act 2003.

### **ADDITIONAL CONDITIONS**

1. An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to the Police, an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or an authorised Trading Standards Officer of the Local Authority/ Council, and must record the following:
  - (a) all crimes reported to the premises (where relevant to the licensing objectives)
  - (b) all ejections of patrons
  - (c) any complaints received (where relevant to the licensing objectives)
  - (d) any incidents of disorder
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency services, noting time, date & purpose and Licensing Act 2003 Premises Licence PL079993 those officials by name.
2. All staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to the minimum standard of BIIAB1 or any equivalent training course within one month of commencing employment at the premises. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be carried out at 12 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section

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13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Local Authority/ Council) on demand.

3. Noise or vibration shall not emanate from the premises so as to cause a nuisance.
4. The Premises Licence Holder or DPS or the responsible person must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
5. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer the Local Authority/Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.
6. A written register of Refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Local Authority/Council on demand.

**INTERNET SALES:**

7. The Premises Licence Holder shall ensure that any person who purchases from the site shall register with the site. Such registration details shall include the person's full name, full address, date of birth and phone number. Records of such registrations shall be kept for a period of 12 months and shall be produced on demand of the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Local Authority/Council. The website shall contain a declaration to the fact that purchasers' details will be checked to ensure eligibility to the sale.
8. The terms and conditions of the business website will contain the following: - a) The business will not sell alcohol to any person until it has been verified that the person is over 18 years of age. b) An age confirmation requirement when registering to purchase. c) Reference to the operating of a Challenge 25 policy.

**DELIVERIES:**

9. The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol

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being handed over. If the person at the point of delivery is under 18, the delivery will not be made. The only acceptable proof of identity shall be a photographic driver's licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect.

10. No music / sound / speakers shall be permitted to any external part of the site.

11. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly. (Note, this may also include a reference to vehicles).

**LICENSING SUB-COMMITTEE'S REASONS FOR REACHING ITS DECISION**

The Sub-Committee considered the Licensing Act 2003 and regulations, the Guidance and the Council's Licensing Policy and the application, together with the information provided by all parties at the hearing.

The Sub-Committee heard from the Licensing Officer who presented her report.

The Sub-Committee was satisfied that the statutory requirements regarding notices, advertisements and time limits had been complied with.

The Sub-Committee heard from the applicant's representative

The Sub-Committee approved the following variations:

Alcohol – Off Sales  
Monday – Sunday                    10:00 – 22:30

Alcohol – On Sales  
Monday - Sunday                    10:00 – 22:30

Opening Hours  
Monday – Sunday                    10:00 – 22:30

The Sub-Committee approved the removal of the following conditions:

8. The terms and conditions of the company website will contain the following: -
  - a) The company will not sell alcohol to any person until it has been verified that the person is over 18 years of age.
  - b) An age confirmation requirement when registering to purchase.
  - c) Reference to the operating of a Challenge 25 policy.
  - d) That no parcels will be left by the courier if the person at the delivery address is under 18 years of age.

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9. The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol being handed over. No alcohol shall be handed over to a person under 18. The only acceptable proof of identity shall be a photographic driver's licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect.
  
12. Use of beer gardens or outside areas should not be permitted before 1000 hours and beyond 1800 hours.

The meeting commenced at 6.35 pm and finished at 7.35 pm