

## **Licensing Sub-Committee**

**Minutes of meeting held remotely on 1 December 2020 at 11.30 am.**

**Present:**

Councillors: Stephen Gauntlett, Isabelle Linington and Christine Robinson.

**Officers in attendance:**

Michele Wilkinson (Lawyer (Housing & Regulatory)), Robin Fuller (Specialist Adviser, Licensing, Nick Peeters (Democratic Services Officer)

**14 Election of chair of the sub-committee for this meeting**

Councillor Isabelle Linington proposed Councillor Stephen Gauntlett as Chair and this was seconded by Councillor Robinson.

**15 Apologies for absence/declaration of substitute members**

There were none.

**16 Declarations of interest**

There were none.

**17 Determination of a Premises Licence Application - Superfuzz Ltd**

The Chair of the Licensing Sub Committee welcomed all parties to the hearing. Those attending introduced themselves and the procedure for the hearing was explained.

The Licensing Officer presented the Report to the committee and summarised the Report as follows:

- The application was for a premises licence and the application and plans were detailed in appendices 1,2 and 3 to the report. The licensable activities were detailed in 1.2 in the report.
- No representations had been received from responsible authorities. Representations had been received from local residents and a petition objecting to the application had been received with 8 signatures from local residents. The objections in the representations related to noise and anti-social behaviour.
- Based on the representations received it was considered unlikely that successful mediation would be unlikely prior to the Sub Committee hearing

being held.

- The following options were available to the Licensing Sub Committee when considering the application:
  - Grant the Licence in the same terms as it was applied for.
  - Grant the Licence but modify the conditions as appropriate for the promotion of the licencing objectives.
  - Grant the Licence but modify the hours of licensable activity as appropriate for the promotion of the licensing objectives.
  - Reject the application.

In response to a question regarding the validity of considering an application of this type during lockdown, it was confirmed that a statutory process was being followed.

It was noted that there was a residential element to the area around the premises being discussed, described as an industrial and retail park.

The applicant, Mr Andrew Mellor, addressed the Sub Committee and highlighted the following points:

- There was substantial support from the community in Lewes for the business and the product and it was a practical decision to move the brewing part of the business back to Lewes and include a tap-room for visitors to sample the beer. The aim was to provide an inclusive environment and the hours applied for were to include off-sales.
- Mr Mellor operated a public house in Lewes which, over the three previous years, had been turned into a more community friendly environment, supported by local residents. The same approach would be taken with the premises being discussed.
- Noise at the premises would be kept to a minimum with soundproofing due for installation, and customers would enter and exit through the industrial space in Davey Lane.
- The business model was not focused on excessive drinking and there was no intention to add to any existing anti-social issues in the town.

The following responses were provided to questions:

- The location of the premises, the route taken into and out of the premises, and the location of the beer garden were confirmed.
- Brewing would take place during the day. The proposal was for the taproom to be open weekday evenings 4-8pm and until 10pm at weekends (Saturday). A licence for live music had been applied for to accommodate

specific events.

- Mr Mellor had not had police involvement regarding anti-social behaviour at his pub in Lewes, other than the first six months of operation which was as a result how the pub had previously been run.
- Mr Mellor did not consider the offer in his crowd-funding application to be different to the detail in his premises licence application. Live music events would be one-offs and the site would not accommodate the type of events that the applicant held elsewhere.
- The focus of the business was on the production of craft beer. The location was chosen as the applicant had had an interest in Lewes for some time and there was a synergy with operating in a town with a notable brewery and in a former brewery site.

Irena Valkova, a local resident, addressed the Sub Committee and highlighted the following points:

- The area where the premises was located was on the edge of the industrial and retail park and the residential area nearby was quiet, particularly at weekends.
- The granting of the licence would dramatically change the nature of the area, with an increase in noise levels and a detrimental impact on residents. There were several routes to the site and clarification on this part of the application was needed.

Stephanie Troeth, a local resident addressed the Sub Committee and highlighted the following points:

- The site chosen was inappropriate due to its proximity to residential properties with young families, and the thoroughfare into the premises would cause issues through increased use.
- There were concerns about noise levels from the proposed layout and that these had not been mitigated. A micro-brewery without the sale of alcohol on-site was a preferred option.

Suzzane Rose, a local resident, addressed the Sub Committee and highlighted the following points:

- The granting of the application would have an immediate and direct impact on the local community. The safety of children and elderly residents on roads in close proximity to a venue selling alcohol was of concern.
- The encouragement of anti-social behaviour and the impact on public safety was also a concern. The proposed activities would increase noise pollution and the hours proposed were excessive and would impact on those residents who were working from home. Noise would be heard from

the outdoor space.

- Modification of the hours of opening (to include no opening on Sunday), a limit to the number of music events allowed and the disallowing of any festival style events should be considered. Should the application be granted, a single point of contact at the Council should be provided for concerns raised by residents.

Jim Ball, a local resident, addressed the Sub Committee and highlighted the following points:

- Granting the application would result in a pub being situated in a residential area, along with associated anti-social behaviours.
- The sale of alcohol on the premises would result in an unpleasant environment for young families. Attempts at soundproofing would still result in base noise emitting from the premises.

The following points were clarified:

- Those that had made representations did not object to a brewery being located at the site and did not object to the off-sales of alcohol, as long as it was not consumed at the premises.
- The applicant would not operate the business solely as a brewery, as it would not be financially viable.

Mr Mellor summed up by stating that:

- He understood the concerns raised by residents and that, although the premises was an industrial unit, there was not intention of increasing industrial noise levels.
- A condenser chimney would be installed to remove smells resulting from the brewing process.
- Trading hours could be reduced in length during the week and at weekends and security would be provided to ensure customers left the premises quietly.

Irena Valkova summed up by urging the Council to look holistically at planning and zoning in the area around the premises.

The Sub Committee adjourned at 13:05 and attendees were advised that they would receive notification of the decision within five working days.

The meeting ended at 1.05 pm

Councillor