

*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**PLYMOUTH PROPERTY, LLC DBA THE BRITISH BEER COMPANY**  
**6 MIDDLE STREET**  
**PLYMOUTH, MA 02360**  
**LICENSE#: 098400089**  
**HEARD: 10/30/2012**

Plymouth Property, LLC dba The British Beer Company (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, October 30, 2012, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34- Sale or delivery of an alcoholic beverage to a person under twenty-one years of age, according to Investigator Binienda's Compliance Check Report.

The following documents are in evidence:

1. Investigator Binienda's Compliance Check Field Report dated May 14, 2012; and
2. Licensee's Stipulation of Facts.

The Commission took Administrative Notice of the contents of the file for the license Plymouth Property, LLC dba The British Beer Company, 6 Middle Street., Plymouth, Massachusetts, 02360.

There is one (1) audio recording of this hearing, and one witness testified during the hearing.

**FACTS**

1. On Monday, May 14, 2012, at approximately 6:25 p.m., Investigators Kenny and Binienda conducted an investigation of the business operation of Plymouth Property, LLC dba The British Beer Company.
2. An underage operative working with investigators purchased an alcoholic beverage, a bottle of Budweiser Light beer, for three dollars and seventy-five cents (\$3.75). The underage operative was not asked for identification.
3. During the course of the hearing, an individual represented himself as an owner of the licensed premises.
4. The file indicates that this individual is neither an owner, nor the license manager.

1767 0540

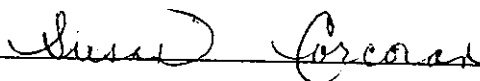
CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34- Sale or delivery of an alcoholic beverage to a person under twenty-one years of age. As the licensee has been in business for ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

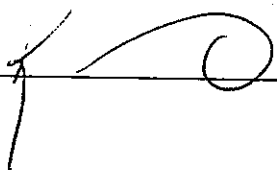
The Commission refers this matter to the Investigative and Enforcement Division for all needful and appropriate investigations regarding Plymouth Property, LLC dba The British Beer Company.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Susan Corcoran, Commissioner

 \_\_\_\_\_

Kim S. Gainsboro, Chairman

 \_\_\_\_\_

Dated: November 2, 2012

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jamie Binienda, Investigator  
Mark Kenny, Investigator  
Administration  
File