

LICENSING SUB-COMMITTEE

HELD:29 MARCH 2011

Start: 10.15am

Finish: 12.30pm

PRESENT: Councillor Kay (In the Chair)

Councillors: Jones
Mrs. Stephenson

Officers: Principal Solicitor (Mr. L. Gardner)
Senior Licensing Officer (Ms. M. Murray)
Member Services Officer (Mrs. J. Brown)
Environmental Protection & Community Safety Manager (Mr A. Hill)

In attendance: Mr Granite (The Old Toby)
Mr. Ray (Objector)

48. APOLOGIES

There were no apologies for absence received.

49. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

50. URGENT BUSINESS

There were no items of urgent business.

51. DECLARATIONS OF INTEREST

There were no declarations of interest.

52. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

53. MINUTES

RESOLVED: That the Minutes of the Licensing Sub – Committee held on 3 March 2011 be received as a correct record subject to Minute 47 C, where the wording 'or his representative' should be after the Community Beat Manager and not after the Designated Premises Supervisor.

54. LICENSING HEARING PROCEDURE

The Chairman referred to the above procedure.

55. APPLICATION FOR VARIATION IN RESPECT OF THE OLD TOBY, ASHLEY ROAD, SKELMERSDALE.

Consideration was given to the report of the Executive Manager Community Services as contained on pages 393 to 426 of the Book of Reports in respect of a variation in respect of The Old Toby, Ashley Road, Skelmersdale.

In considering this matter the Sub – Committee had regard to its Licensing Policy and to the Guidance issued under S. 182 of the Licensing Act. It considered the relevant objectives on this occasion was the Prevention of Public Nuisance and Prevention of Crime and Disorder.

On hearing evidence from the Council's Environmental Protection Manager, Representative of the Premises Licence holder and Member of Public into consideration the Sub – Committee:-

- RESOLVED:
- A. That the sale of alcohol shall be permitted between 09.00 hours and 02.00 hours on Fridays, Saturdays and all bank holidays, with the exception of New Years eve to New Years day, which shall remain as per the existing licence.
 - B. That the premises shall be open to the public between 09.00 hours and 02.30 hours on Fridays, Saturdays and all bank holidays, with the exception of New Years eve to New Years day, which shall remain as per the existing licence.
 - C. That the existing condition regarding recorded music outside the premises shall be removed and shall be replaced with the condition 'That there shall be no recorded music permitted outside the premises'.
 - D. In the event of the provision of Regulated Live Entertainment, a noise limiter shall be fitted and set in liaison and agreement with the Council's Environmental Department.
 - E. That bottles and receptacles shall only be allowed in the outside area of the premises when confined to the beer garden.
 - F. That the fencing surrounding the beer garden shall be maintained to ensure that it will be an enclosed secure area.
 - G. That the premises shall install, operate and maintain a CCTV to the satisfaction of Lancashire Constabulary.
 - 1. That the system shall cover all internal and external areas including entry/exit points to enable frontal identification of each person entering in any light conditions.
 - 2. That the system shall record for 24 hours, the images of which shall be accurately time and date stamped and that all recordings shall be stored for a minimum of 28 days.

3. That at all times the premises are open to the public, there shall be at all times a member of staff on duty who will be conversant with the operation of the system and able to provide a copy of any footage to any responsible authority upon reasonable request.

56. CONDITIONS ATTACHED TO THE WAYFARER, 1-3 ALDER LANE, PARBOLD

Consideration was given to the report of the Director Designate (Council Secretary and Solicitor) as contained on pages 427 to 431 of the Book of Reports, the purpose of which was to clarify the conditions attached to the Premises License at the Wayfarer, as agreed at the Licensing Sub – Committee held on 3 March 2011.

RESOLVED: That the Licensing Sub – Committee acknowledge that in Minute 47 C the wording 'or his representative' should appear after the Community Beat Manager and not after the Designated Premises Supervisor.

-CHAIRMAN-