

## LICENSING SUB-COMMITTEE

**HELD:26 NOVEMBER 2013**

Start: 10.40am

Finish: 1.25pm

PRESENT: Councillor Kay (In the Chair)

Councillors: Owen  
Mrs Stephenson

Officers: Principal Solicitor (Mr L Gardner)  
Senior Licensing Officer (Mrs M Murray)  
Senior Licensing Officer (Mr A Denton)  
Principal Member Services Officer (Mrs S Griffiths)  
Member Services Work Placement (Mr M Birchall)  
Environmental Health Work Placement (Mr P Garratt)

In attendance: Councillor Mrs Baybutt (Ward Councillor)  
Councillor Mrs C Evans (Ward Councillor)  
Mr T Callaghan (Owner Fifteens @ The Fox)  
Ms L Langton (Operations Manager)  
Mr. Johnson (Objector)  
Mr. Gifford (Objector)  
Ms Hale (Objector)

### 17. APOLOGIES

There were no apologies for absence received.

### 18. MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

### 19. URGENT BUSINESS

There were no items of urgent business.

### 20. DECLARATION OF PARTY WHIP

There were no declarations of a party whip.

### 21. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 22. MINUTES

RESOLVED That the Minutes of the meeting held on 13 September 2013 be received as a correct record and signed by the Chairman.

**23. LICENSING HEARING PROCEDURE**

The Chairman outlined the Licensing Hearing Procedure.

**24. APPLICATION FOR A VARIATION OF PREMISES LICENCE IN RESPECT OF FIFTEENS AT THE FOX, 24 ROBY MILL, UP HOLLAND, LANCASHIRE, WN8 0QF.**

Consideration was given to the report of the Assistant Director Community Services as contained on pages 149 to 228 of the Book of Reports in respect of an application for a variation of a premises licence in respect of Fifteens @ The Fox, 24 Roby Mill, Up Holland, Lancashire, WN8 0QF.

In considering this matter the Sub – Committee had regard to its Licensing Policy and the guidance issued under S. 182 of the Licensing Act. It considered the relevant Licensing Objectives on this occasion was the ‘prevention of crime and disorder’, ‘protection of children from harm’ and ‘public nuisance’.

On hearing evidence from the Applicant and Objectors the Sub – Committee:-

- RESOLVED:
- A. That the sale of alcohol shall be permitted between the hours:- Sunday to Thursday 10.00 hours to 00.00 hours and Friday and Saturday 10.00 hours to 02.00 hours.
  - B. That the Premises shall be open to the public between the hours:- Sunday to Thursday 10.00 hours to 00.30 hours and Friday and Saturday 10.00 hours to 02.30 hours.
  - C. That late night refreshment shall be permitted between the hours:- Sunday to Thursday 23.00 hours to 00.00 hours and Friday and Saturday 23.00 hours to 02.00 hours.
  - D. That recorded music shall be permitted between the hours:- Sunday to Thursday 10.00 hours to 00.00 hours and Friday and Saturday 10.00 hours to 01.00 hours.
  - E. That live music shall be permitted between the hours Sunday to Thursday 10.00 hours to 23.00 hours and Friday and Saturday 10.00 hours to 00.00 hours.
  - F. That the Premises Licence Holder will have in place a written Operating Policy relating specifically to these premises and that at all times the premises is open, the Premises Licence Holder, DPS or person in charge will ensure that all activity at the premises is carried out in accordance with this policy.

- G. That the Premises Licence Holder, DPS or person in charge shall ensure regular toilet checks are carried out and that these checks along with any actions taken will be recorded and that a record of these checks will be provided to any responsible authority representative upon reasonable request.
- H. That the Premises Licence Holder will operate and maintain the CCTV system which shall be in use during all times licensable activities are taking place at the premises and comply as follows;
  - i. The system shall cover all entrances and exits from the premises, in addition to covering all internal and external areas of the premises used to supply or consume licensed products.
  - ii. The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
  - iii. The system will be capable of accurate time and date stamping recordings and retaining said recordings for at least 21 days.
  - iv. That the premises licence holder or DPS shall make footage available to a police officer or authorised officer where such a request is made in accordance with the Data Protection Act 1998.
- I. That the Premises will operate a policy that prevents the sale of alcohol to persons under 18 to the satisfaction of the police and the local authority. This policy shall state that any person who does not appear to be at least 21 years of age, will not be served unless they can produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS), photocard driving licence or passport
- J. That notices will be displayed where they can be clearly seen and read in the premises indicating that the premises operates a Challenge 21 policy in relation to the sale of alcohol.

K. That the following conditions be removed from Annex 2 of the premises licence:-

- The Premises shall remain open to the public on Christmas Eve from 11.30 – 01.00 and to supply alcohol and provide recorded music from 11.30 - 00.30.
- Patrons who appear to be under 18 shall provide identification to bar staff.
- A fire risk assessment shall be carried out and implemented.
- Smoke detection systems shall be operational in all public and work areas.
- Children under 18 shall not be permitted to approach the bar servery and must be off the premises by 21.00.
- The AWP machine shall be monitored to ensure children are not using it.

This is the decision of the Sub – Committee.

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CHAIRMAN