

## LICENSING SUB-COMMITTEE

**HELD: 12 SEPTEMBER 2014**

Start: 10.00am

Finish: 12.45pm

PRESENT: Councillor Kay (In the Chair)

Councillors: C Evans  
Oliver  
Pye

Officers: Principal Solicitor (Mr L Gardner)  
Senior Licensing Officer (Mrs M Murray)  
Member Services/ Civic Support Officer (Mrs J Brown)  
Work Placement (Mr S Morris)

In attendance: Applicant (Mr C Jones)  
Designated Premises Supervisor (Mr D Roy)  
Objectors

### **9. APOLOGIES**

There were no apologies for absence received.

### **10. MEMBERSHIP OF THE COMMITTEE**

There were no changes to Membership of the Committee.

### **11. URGENT BUSINESS**

There were no items of urgent business.

### **12. DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

### **13. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **14. MINUTES**

RESOLVED: That the Minutes of the meeting held on 23 June 2014 be received as a correct record and signed by the Chairman

### **15. LICENSING HEARING PROCEDURE**

The Chairman outlined the Licensing Hearing Procedure.

**16. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF TOBY TAVERN BAR & GRILL, ASHURST ROAD, ASHURST, SKELMERSDALE, WN8 6XN.**

Consideration was given to the report of the Assistant Director Community Services as contained on pages 61 to 99 of the Book of Reports in respect of an application under the Licensing Act 2003 for a Premises Licence in respect of Toby Tavern Bar & Grill, Ashurst Road, Ashurst, Skelmersdale, WN8 6XN.

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' and 'prevention of public nuisance'.

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

- RESOLVED:
- A. That the premises shall be open to the public 09.00 hours to 00.30 hours Sunday to Thursday and 09.00 hours to 02.30 hours Friday and Saturday.
  - B. That the supply of alcohol shall be permitted between 09.00 hours to 00.00 hours Sunday to Thursday and 09.00 hours to 02.00 hours Friday and Saturday.
  - C. That late night refreshment shall be permitted between 23.00 hours to midnight Sunday to Thursday and 23.00 hours to 01.00 hours Friday and Saturday.
  - D. That the provision of live music, recorded music, performance of dance and anything of a similar description shall be permitted to take place 10.00 hours to 23.30 hours Monday to Thursday and 10.00 hours to midnight Friday and Saturday and Sunday 10.00 hours to 23.00 hours.
  - E. That the premises shall be open to the public from 09.00 hours and 02.00 hours on Christmas Eve, Boxing Day and Bank Holidays and from 09.00 hours New Year's Eve to 09.00 hours New Year's Day.
  - F. That any outside area used for the consumption of alcohol shall cease to be used at 22.00 hours each day.
  - G. That the sale of alcohol for non-standard timings shall be permitted between 09.00 hours and 02.00 hours on Christmas Eve, Boxing Day and all Bank Holidays.
  - H. That the Premises Licence Holder/DPS shall ensure that the provision for and number of door supervisors at the premises will be carried out on a weekly risk assessed basis. This risk assessment will reflect the potential for crime and disorder posed by the number of customers on any particular trading day or as a result of local or national events.

- I. That any risk assessment will be in a written format and shall be kept at the premises and produced for inspection by any responsible authority upon reasonable request.
- J. That the DPS will ensure the premises maintains an incident book which will contain a record of all incidents relating to the premises, its staff and customers, including time, date, nature of incident and outcome to the satisfaction of Lancashire Constabulary and the Local Authority. This record will be available upon request to any responsible authority.
- K. That noise from music and associated sources (including DJs and amplified voices) shall not be audible at the boundary of any neighbouring residential premises after 18.00 hours any day.
- L. That regulated entertainment shall only be permitted in the outside area of the premises between 12.00 midday and 18.00 hours on any day.
- M. That the volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the DPS or Management and the controlling mechanism shall be operated from a part of the premises not accessible to the public.
- N. That there shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises quietly.
- O. That Door Supervisors and other members of staff to request customers to leave quietly and have respect for their residential neighbours.
- P. That the DPS shall ensure that staff arriving early morning or departing late at night when business has ceased trading shall conduct themselves in such a manner to avoid disturbance to nearby residents.
- Q. That the placing of refuse, such as bottles, into receptacles outside the premises shall take place between 08.00 hours and 22.00 hours so as to prevent disturbance to nearby premises.
- R. That, if regulated entertainment is being provided, a noise limiter shall be fitted and set in liaison and agreement with the Council's Environmental Department.
- S. That bottles and receptacles shall only be allowed in the outside area of the premises when confined to the beer garden.
- T. That fencing surrounding the beer garden shall be maintained to ensure that it is an enclosed secured area.

- U. That unless varied by the conditions set out in A to T, the conditions attached to Licence Number LN/000001190 shall apply to this new Licence.
- V. That the double doors that lead to the patio area from the main bar shall be kept locked from 18.00 hours each day.

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- CHAIRMAN -