

## LICENSING SUB-COMMITTEE

**HELD:8 JANUARY 2010**

Start: 9.30am

Finish: 12.30pm

### **PRESENT:**

Councillors: Kay (Chairman)  
Jones  
Pratt

Officers: Licensing Officer (Miss. S. Mullen)  
Principal Solicitor (Mr. L. Gardner)  
Member Services Officer (Mrs. J. Brown)

In Attendance Police Sergeant 1506 A. Bushell (Lancashire Constabulary)

### **80. APOLOGIES**

There were no apologies for absence received.

### **81. MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 4, Members noted the termination of membership of Councillor Mrs Melling and the appointment of Councillor Pratt for this meeting only, thereby giving effect to the wishes of the political groups.

### **82. URGENT BUSINESS**

There were no items of urgent business.

### **83. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **84. DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

### **85. MINUTES OF SUB-COMMITTEE HELD ON 23 NOVEMBER 2009.**

RESOLVED: That the Minutes of the meeting held 23 November 2009 be received as a correct record and signed by the Chairman.

### **86. LICENSING COMMITTEE 2003 - HEARING REVIEW PROCEDURE**

The Chairman referred to the above procedure.

**87. APPLICATION FOR A REVIEW OF A PREMISES LICENCE IN RESPECT OF DAY & NIGHT SPORTS BAR, 2 ST HELENS ROAD, ORMSKIRK, L39 4QR.**

Consideration was given to the report of the Executive Manager Community Services as contained on pages 615 to 632 of the Book of Reports in relation to the above application to review the premises licence.

The Sub – Committee had regard to its Licensing Policy and the guidance issued under S. 182 of the Licensing Act. It considered that the relevant objectives under the Licensing Act on this occasion were the prevention of crime and disorder and the protection of children from harm.

Having taken the representations from Lancashire Constabulary into consideration the Sub – Committee decided that :-

- RESOLVED:
- (A) The Premises Licence Holder and/or a Designated Premises Supervisor shall be present at all times that the premises are open for the sale of alcohol.
  - (B) The premises shall have in place a written policy, to the satisfaction of Lancashire Constabulary to prevent the sale or supply of alcohol to persons under the age of 18. This policy shall require that any person who does not appear to be at least 21 years of age will not be served alcohol unless they can produce a recognised proof of age card accredited under the Proof of Age Standards Pass Scheme (PASS), photo card driving licence or passport. A copy of the current written policy to be supplied to the Licensing Authority.
  - (C) Notices be displayed where they can be clearly seen and read in the premises indicating that the premises operate a Challenge 21 Policy in relation to the sales of alcohol.
  - (D) All staff receives training in relation to age related product sales. The training shall be refreshed on a regular basis; this should be a minimum of twice a year.
  - (E) The premises shall maintain written records of all staff training and refresher training. These records shall be made available for inspection by any responsible authority upon reasonable request.
  - (F) The premises shall operate a refusal register to the satisfaction of Lancashire Constabulary. This shall be made available for inspection by any responsible authority upon reasonable request.

**88. APPLICATION FOR A REVIEW OF A PREMISES LICENCE IN RESPECT OF DISRAELI'S, 26 CHURCH STREET, ORMSKIRK, L39 3AN.**

Consideration was given to the report of the Executive Manager Community Services as contained on pages 633 to 650 of the Book of Reports in relation to the above application to review the premises licence.

The Sub – Committee had regard to its Licensing Policy and the guidance issued under S. 182 of the Licensing Act. It considered that the relevant objectives under the Licensing Act on this occasion were the prevention of crime and disorder and the protection of children from harm.

Having taken the representations from Lancashire Constabulary into consideration the Sub – Committee decided that :-

- RESOLVED: (A) The premises shall have in place a written policy, to the satisfaction of Lancashire Constabulary to prevent the sale or supply of alcohol to persons under the age of 18. This policy shall require that any person who does not appear to be at least 21 years of age will not be served alcohol unless they can produce a recognised proof of age card accredited under the Proof of Age Standards Pass Scheme (PASS), photo card driving licence or passport. A copy of the current written policy be supplied to the Licensing Authority.
- (B) Notices be displayed where they can be clearly seen and read in the premises indicating that the premises operate a Challenge Policy in relation to the sales of alcohol.
- (C) All staff receives training in relation to age related product sales. The training shall be refreshed on a regular basis; this should be a minimum of twice a year.
- (D) The premises shall maintain written records of all staff training and refresher training. These records shall be made available for inspection by any responsible authority upon reasonable request.
- (E) The data from the premises electronic refusal register shall be made available for inspection by any responsible authority upon reasonable request.

Note 1. The order of business was varied and this item was heard as the last item.

Note 2. The Chairman left the meeting before commencement of this item. In agreement with the Chairman, Councillor Jones took the Chair for this item.

**89. APPLICATION FOR A REVIEW OF A PREMISES LICENCE IN RESPECT OF QUEEN INN, 81 AUGHTON STREET, ORMSKIRK, L39 3BN.**

Consideration was given to the report of the Executive Manager Community Services as contained on pages 651 to 671 of the Book of Reports in relation to the above application to review the premises licence.

The Sub – Committee had regard to its Licensing Policy and the guidance issued under S. 182 of the Licensing Act. It considered that the relevant objectives under the Licensing Act on this occasion were the prevention of crime and disorder and the protection of children from harm.

Having taken the representations from Lancashire Constabulary and the Environmental Protection Manager into consideration the Sub – Committee decided that :-

- RESOLVED:
- (A) A Personal Licence Holder should be on the premises at all times licensable activity is provided and must be present between 20.00 to 23.30 daily.
  - (B) The premises shall have in place a written policy, to the satisfaction of Lancashire Constabulary to prevent the sale or supply of alcohol to persons under the age of 18. This policy shall require that any person who does not appear to be at least 21 years of age will not be served alcohol unless they can produce a recognised proof of age card accredited under the Proof of Age Standards Pass Scheme (PASS), photo card driving licence or passport. A copy of the current written policy be supplied to the Licensing Authority.
  - (C) Notices be displayed where they can be clearly seen and read in the premises indicating that the premises operate a Challenge 21 Policy in relation to the sales of alcohol.
  - (D) All staff receive training in relation to age related product sales. The training shall be refreshed on a regular basis; this should be a minimum of twice a year.
  - (E) The premises shall maintain written records of all staff training and refresher training. These records shall be made available for inspection by any responsible authority upon reasonable request.
  - (F) The premises shall operate a refusal register to the satisfaction of Lancashire Constabulary. This shall be made available for inspection by any responsible authority upon reasonable request.
  - (G) Noise from music and associated sources (including D. J's and amplified voices) shall not be audible at the boundary of any neighbouring residential premises at any time.
  - (H) All external doors and windows shall be kept closed, other than for access and egress, at all times regulated entertainment is supplied. The front entrance door may be kept open so long as the internal lobby door is kept closed.
  - (I) The Licence holder or his representative shall conduct an assessment of the noise coming from the premises on every occasion that the premises are used for regulated entertainment.
  - (J) Any outside area which is used for the consumption of alcohol, shall be closed from 23.00 hours every day.
  - (K) 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 and the area quietly.

- (L) The placing of refuse, such as bottles, into receptacles outside the premises shall take place between 08.00 and 23.00 hours so as to prevent disturbance to nearby premises.

Note 1: The order of business was varied and this item was heard after item 8 on the Agenda.

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-CHAIRMAN-