

## LICENSING SUB-COMMITTEE

**HELD: 7 JANUARY 2013**

Start: 10.30am

Finish:12.10pm

**PRESENT:** Councillor Owens (In the Chair)

Councillors: Savage  
Sudworth

Officers: Principal Solicitor (Mr. L. Gardner)  
Senior Licensing Officer (Mrs. M. Murray)  
Member Services Officer (Mrs. J.A. Ryan)

In attendance: Mr D. Wshear (Applicant)  
Mr. R. Williams (Applicant's Solicitor)  
Mr. Singh (Objector)  
Councillor Aldridge

### **33. APOLOGIES**

There were no apologies for absence received.

### **34. MEMBERSHIP OF THE COMMITTEE**

There were no changes to Membership of the Committee.

### **35. URGENT BUSINESS**

There were no items of urgent business.

### **36. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **37. DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

### **38. MINUTES**

RESOLVED: That the Minutes of the meeting held on 19 November 2012 be received as a correct record and signed by the Chairman.

### **39. LICENSING HEARING PROCEDURE**

The Chairman referred to the above procedure.

### **40. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 113 BIRLEYWOOD, SKELMERSDALE.**

Consideration was given to the report of the Assistant Director Community Services as contained on pages 301 to 432 of the Book of Reports in respect of an application for a Premises Licence for 113 Birleywood, Skelmersdale.

In considering this matter the Sub – Committee had regard to its Licensing Policy and the guidance issued under S.182 of the Licensing Act 2003. It considered the relevant Licensing Objectives on this occasion were the ‘prevention of public nuisance’ and the ‘prevention of crime and disorder’.

On hearing evidence from the Applicant and members of the public, the Sub – Committee:-

- RESOLVED:
- A. That the sale of alcohol shall be permitted between the hours:- Monday to Saturday 09.30 hours to 18.30 hours and Sunday 09.30 hours to 12.30 hours.
  - B. That the premises shall be open to the public between the hours:- Monday to Saturday 09.30 hours to 18.30 hours and Sunday 09.30 hours to 12.30 hours.
  - C. That the premises shall operate and maintain a 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 areas of the premises used to store, 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 time and date stamping recordings and retaining said recordings for at least 21 days.
    - (iv) The Data Controller 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.
    - (v) The premises will display signage informing customers that CCTV is in operation on the premises.
  - D. That the premises will operate a policy that prevents the sale of alcohol to persons under 18 to the satisfaction of the police and 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), photo-card driving licence or passport.
  - E. That all staff will be trained in relation to the sale of alcohol to persons under 18. This training will be recorded and made available for inspection by any responsible authority upon reasonable request.
  - F. That the DPS will ensure the premises maintain an incident book to the satisfaction of Lancashire Constabulary and the Local Authority.
  - G. That the DPS will ensure all staff are instructed in the use of this incident book and that it will be used to record the following:-

- (i) Any challenges, both positive and negative, made to customers relating to the sale of age restricted products
  - (ii) This record will include the time and date of the challenge, description and or name of the customer and details of any identification produced
  - (iii) Any incidents relating to the premises, it's staff and customers
  - (iv) This record will include the time, date, nature and outcome of the incident
- H. That the incident book will be retained on the premises and will be made available upon request to any responsible authority.
- I. That no alcohol or other age restricted products will be sold out of the back door of the premises at any time.

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- CHAIRMAN -