



Kim Webber B.Sc. M.Sc.
Chief Executive
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

4 January 2018

TO: COUNCILLORS N DELANEY, T DEVINE AND J KAY

Dear Councillor,

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the **COUNCIL CHAMBER, 52 DERBY STREET, ORMSKIRK L39 2DF** on **TUESDAY, 16 JANUARY 2018** at **5.00 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Kim Webber', written over a horizontal line.

Kim Webber
Chief Executive

AGENDA
(Open to the Public)

- 1. APOLOGIES**
- 2. MEMBERSHIP OF THE COMMITTEE**

To be apprised of any changes to the membership of the Sub – Committee in accordance with Council Procedure Rule 4.

- 3. URGENT BUSINESS**

Note: No other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

4. DECLARATIONS OF PARTY WHIP

Party Whips are not to be used by this Committee in respect of functions concerning the determination of new Licence Applications, Revocations and Appeals. When considering any other matter which relates to a decision of the Cabinet, in accordance with Regulatory Committee Procedure Rule 9, Members must declare the existence of the Committee's deliberations on the matter.

5. DECLARATIONS OF INTEREST

431 -
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If a Member requires advice on Declarations of Interest, he/she is advised to contact the Borough Solicitor in advance of the meeting. (For the assistance of Members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet).

6. MINUTES

433 -
442

To note the Minutes of the meetings held on 8 December 2017 (10.30am), 8 December 2017 (1.30pm) and 19 December 2017.

7. LICENSING HEARING PROCEDURE

443 -
444

8. APPLICATION FOR A PREMISES LICENCE IN RESPECT OF G & H CONVENIENCE STORE, 120 ABBEYWOOD, SKELMERSDALE WN8 9LR

445 -
476

To consider the report of the Director of Leisure and Wellbeing.

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

FIRE EVACUATION PROCEDURE: Please see attached sheet.

MOBILE PHONES: These should be switched off or to 'silent' at all meetings.

For further information, please contact:-
Julia Brown on 01695 585065
Or email julia.brown@westlancs.gov.uk

**FIRE EVACUATION PROCEDURE FOR:
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT
(52 DERBY STREET, ORMSKIRK)**

PERSON IN CHARGE: Most Senior Officer Present
ZONE WARDEN: Member Services Officer / Lawyer
DOOR WARDEN(S) Usher / Caretaker

IF YOU DISCOVER A FIRE

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

ON HEARING THE FIRE ALARM

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **Do NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

NOTES:

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

CHECKLIST FOR PERSON IN CHARGE

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

NOTE:

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

CHECKLIST FOR ZONE WARDEN

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

INSTRUCTIONS FOR DOOR WARDENS

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.

Agenda Item 5

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/09/16 – 19/09/20)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Employment, office, trade, profession or vocation

Sponsorship

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

Agenda Item 6

LICENSING SUB-COMMITTEE

HELD: Friday, 8 December 2017

Start: 10.30 am

Finish: 1.25 pm

PRESENT:

Councillors: T Devine G Owen
J Kay

In attendance: Stuart MacFarlane (Applicant)
Mary Wright (Chair - New Way Tenants Residents Association)
Dennis Moffatt (New Way Tenants Residents Association)
Karen Jennings (New Way Tenants Residents Association)
Carol Davies (New Ormskirk Residents Group)

Officers: Kay Lovelady, Principal Solicitor
Michaela Murray, Senior Licensing Officer
Julia Brown, Member Services/Civic Support Officer

16 **APOLOGIES**

There were no apologies for absence received.

17 **MEMBERSHIP OF THE SUB-COMMITTEE**

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillor N Delaney, and the appointment of Councillor G Owen for this meeting only, thereby giving effect to the wishes of the political groups.

18 **URGENT BUSINESS**

There were no items of urgent business.

19 **DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

20 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

21 **MINUTES**

RESOLVED: That the Minutes of the meeting held on 27 October 2017 be noted.

22 **LICENSING HEARING PROCEDURE**

The Chairman outlined the Licensing Hearing Procedure.

23 APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 19 AUGHTON STREET, ORMSKIRK, L39 3AG

Consideration was given to the report of the Director of Leisure and Wellbeing Services as contained on pages 297 to 336 of the Book of Reports in respect of an Application for a Premises Licence in respect of 19 Aughton Street, Ormskirk L39 3AG.

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 Public Nuisance'.

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

RESOLVED: A. 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:-

1. 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.
 2. The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
 3. The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days.
 4. The Data Controller shall make footage available to a Police Officer or authorised officer, where such a request is made.
 5. Signage advising that CCTV is in operation.
- B. That a documented Challenge 25 scheme will be operated at the premises. The Challenge 25 scheme will be actively promoted and advertised at the premises and any person purchasing alcohol, who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

The Proof of Age Standards Scheme (PASS) will be actively promoted at the premises by the display of Challenge 25 posters bearing the PASS logo. A PASS accredited holographic proof of

age card will be the main identification document accepted at the premises as proof of age. A PASS card must be accepted as proof of age if a purchaser possesses one. Where a purchaser does not possess a PASS accredited proof of age card, only the following alternative forms of identification will be acceptable:-

- (a) Photo Driving Licence
- (b) Passport or
- (c) Her Majesty's Forces Warrant Card

- C. That a documented training scheme shall be introduced for all staff in a position to sell, serve or deliver alcohol. The scheme shall be made available for inspection at the request of any Police Officer, Trading Standards Officer or Local Authority Enforcement Officer.

The Designated Premises Supervisor or Premises Licence Holder shall conduct six monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. The written record shall be kept of the content of such reviews and be available for inspection by any responsible authority upon request.

- D. That an incident book / refusals register shall be kept and maintained at the premises indicating the date, time and reason, for any refusal / incident of Crime and Disorder and will be made available for inspection by any responsible authority upon request.
- E. That all doors will be fitted with a self-closing device. All doors and windows shall be kept closed, other than for access and egress, at all times.
- F. That notices shall be displayed at public exits, in a clear and prominent position, requesting that patrons respect the needs of local residents and leave the premises and the area quietly.
- G. That door supervisors and other members of staff request customers to leave quietly and have respect for their residential neighbours.
- H. 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.
- I. That no Regulated Entertainment is to take place in the raised outside seating area of the premises at any time.

- J. That any outside area, which is used for the consumption of alcohol, shall cease to be so used at 23.00 hours on any day.
- K. That the volume of all amplified sound used in connection with all entertainment provided shall at all times be under the control of the licensee or management and the controlling mechanism so installed shall be maintained and operated from a part of the premises inaccessible to the public.
- L. That no deliveries will take place between the hours of 20:00 and 08:00 hours.
- M. That the placing of refuse, such as bottles, into receptacles outside the premises shall take place between 08.00 and 21.00 only, so as to prevent disturbance to nearby premises.
- N. That the Designated Premises Supervisor shall ensure that staff arriving early morning or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.
- O. That the sale of alcohol shall be permitted between 11.00 hours and 01.30 hours Monday to Sunday.
- P. That the premises shall be open to the public between 11.00 hours and 02.00 hours Monday to Sunday.
- Q. That the provision of live music shall be permitted between 11.00 hours and 23.00 hours Monday to Sunday.
- R. That the provision of recorded music shall be permitted between 11.00 hours and 02.00 hours Monday to Sunday.
- S. That late night refreshment shall be permitted between 23.00 hours and 02.00 hours Monday to Sunday.
- T. That all external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency or to allow access or egress.
- U. That whenever regulated entertainment is taking place, regular assessments shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any local residents, remedial steps shall be taken to reduce the levels of noise.

.....
Chairman

Start: 1.30 pm

Finish: 2.55 pm

PRESENT:

Councillors: T Devine (Chairman) G Hodson
J Kay

In attendance: Stuart MacFarlane (Applicant)
Mary Wright (Chair – New Way Tenants Residents Association)
Dennis Moffatt (New Way Tenants Residents Association)
Karen Jennings (New Way Tenants Residents Association)
Carol Davies (New Ormskirk Residents Group)

Officers: Kay Lovelady, Principal Solicitor
Michaela Murray, Senior Licensing Officer
Julia Brown, Member Services/Civic Support Officer

24 **APOLOGIES**

There were no apologies for absence received.

25 **MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillor Delaney, and the appointment of Councillor G Hodson for this meeting only, thereby giving effect to the wishes of the political groups.

26 **URGENT BUSINESS**

There were no urgent items of business.

27 **DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

28 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

29 **LICENSING HEARING PROCEDURE**

The Chairman referred to the Licensing Hearing Procedure.

30 **APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 23 CHURCH STREET, ORMSKIRK L39 3AG**

Consideration was given to the report of the Director of Leisure and Wellbeing Services as contained on pages 341 to 380 of the Book of Reports in respect of an Application for a Premises Licence in respect of 23 Church Street, Ormskirk L39 3AG.

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 Public Nuisance'.

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

RESOLVED: A. 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:-

1. 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.
 2. The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
 3. The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days.
 4. The Data Controller shall make footage available to a Police Officer or authorised officer, where such a request is made.
 5. Signage advising that CCTV is in operation.
- B. That a documented Challenge 25 scheme will be operated at the premises. The Challenge 25 scheme will be actively promoted and advertised at the premises and any person purchasing alcohol, who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

The Proof of Age Standards Scheme (PASS) will be actively promoted at the premises by the display of Challenge 25 posters bearing the PASS logo. A PASS accredited holographic proof of age card will be the main identification document accepted at the premises as proof of age. A PASS card must be accepted as proof of age if a purchaser possesses one. Where a purchaser does not possess a PASS accredited proof of age card, only the following alternative forms of identification will be acceptable:-

- (a) Photo Driving Licence
- (b) Passport or
- (c) Her Majesty's Forces Warrant Card

- C. That a documented training scheme shall be introduced for all staff in a position to sell, serve or deliver alcohol. The scheme shall be made available for inspection at the request of any Police Officer, Trading Standards Officer or Local Authority Enforcement Officer.

The Designated Premises Supervisor of Premises Licence Holder shall conduct six monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. The written record shall be kept of the content of such reviews and be available for inspection by any responsible authority upon request.

- D. That an incident book / refusals register shall be kept and maintained at the premises indicating the date, time and reason, for any refusal / incident of Crime and Disorder and will be made available for inspection by any responsible authority upon request.
- E. That all doors will be fitted with a self-closing device. All doors and windows shall be kept closed, other than for access and egress, at all times.
- F. That notices shall be displayed at public exits, in a clear and prominent position, requesting that patrons respect the needs of local residents and leave the premises and the area quietly.
- G. That door supervisors and other members of staff to request customers to leave quietly and have respect for their residential neighbours.
- H. 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.
- I. That no Regulated Entertainment is to take place in the outside seating area of the premises at any time.
- J. That any outside area, which is used for the consumption of alcohol, shall cease to be so used at 23.00 hours on any day.

- K. That the volume of all amplified sound used in connection with all entertainment provided shall at all times be under the control of the licensee or management and the controlling mechanism so installed shall be maintained and operated from a part of the premises inaccessible to the public.
- L. That no deliveries will take place between the hours of 20:00 and 08:00 hours.
- M. That the placing of refuse, such as bottles, into receptacles outside the premises shall take place between 08.00 and 21.00 only, so as to prevent disturbance to nearby premises.
- N. That the Designated Premises Supervisor shall ensure that staff arriving early morning or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.
- O. That the sale of alcohol shall be permitted between 11.00 hours and 01.30 hours Monday to Sunday.
- P. That the premises shall be open to the public between 11.00 hours and 02.00 hours Monday to Sunday.
- Q. That the provision of recorded music shall be permitted between 11.00 hours and 02.00 hours Monday to Sunday.
- R. That late night refreshment shall be permitted between 23.00 hours and 02.00 hours Monday to Sunday.
- S. That all external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency or to allow access or egress.
- T. That whenever regulated entertainment is taking place, regular assessments shall be made of any noise emanating from the premises. Wherever said assessments indicate that noise is likely to cause nuisance to any local residents, remedial steps shall be taken to reduce the levels of noise.

.....
Chairman

Start: 4.30 pm

Finish: 6.05 pm

PRESENT:

Councillor: J Kay (Chairman)

Councillors: D McKay A Pritchard

In attendance: Adam Cooke, Applicant

Officers: Kay Lovelady, Principal Solicitor
Samantha Jordan, Senior Licensing Officer
Jill Antrobus, Principal Environmental Health Officer
Gillian Perkins, Senior Environmental Health Officer
Julia Brown, Member Services/Civic Support Officer

31 **APOLOGIES**

There were no apologies for absence received.

32 **MEMBERSHIP OF THE SUB-COMMITTEE**

There were no changes to Membership of the Sub – Committee.

33 **URGENT BUSINESS**

The Licensing Sub - Committee is required to determine the objection notices received in response to the Temporary Event Notice (TEN). Standard TENs can be served no later than 10 working days before the event. There is no set period in which to hold the hearing, but the Licensing Sub-Committee decision would need to be given no later than 24 hours before the beginning of the event period specified in the TEN. The date of the hearing has been set to allow sufficient time to determine the matter prior to the event period and for the preparation and service of the decision in accordance with the Licensing Act 2003.

34 **DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

35 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

36 **MINUTES**

There were no Minutes to receive.

37 LICENSING HEARING PROCEDURE

The Chairman outlined the Licensing Hearing Procedure.

38 TEMPORARY EVENT NOTICE SUBMITTED IN RESPECT OF ALPINE CLUB LODGE, 17-21 RAILWAY ROAD, ORMSKIRK, LANCASHIRE, L39 2DN - 23 TO 27 DECEMBER 2017

Consideration was given to the report of the Director of Leisure and Wellbeing Services as contained on pages 383 to 406 of the Book of Reports in respect of an Application for a Temporary Event Notice submitted in respect of Alpine Club Lodge, 17-21 Railway Road, Ormskirk, Lancashire L39 2DN – 23-27 December 2017.

In considering this matter the Sub – Committee had regard to its Licencing Policy and the guidance issued under S. 182 of the Licensing Act. It considered the relevant Licensing Objective on this occasion was the 'Prevention of Public Nuisance'.

On hearing evidence from the Applicant and Principle Environmental Health Officer.

RESOLVED: That the Application for a Temporary Event Notice submitted in respect of Alpine Club Lodge, Railway Road, Ormskirk L39 2DN (23- 27 December 2017) be REFUSED and a Counter Notice issued.

39 TEMPORARY EVENT NOTICE SUBMITTED IN RESPECT OF ALPINE CLUB LODGE, 17-21 RAILWAY ROAD, ORMSKIRK, LANCASHIRE, L39 2DN - 1 JANUARY 2018

Consideration was given to the report of the Director of Leisure and Wellbeing Services as contained on pages 407 to 430 of the Book of Reports in respect of an Application for a Temporary Event Notice submitted in respect of Alpine Club Lodge, 17-21 Railway Road, Ormskirk, Lancashire L39 2DN –1 January 2018.

In considering this matter the Sub – Committee had regard to its Licencing Policy and the guidance issued under S. 182 of the Licensing Act. It considered the relevant Licensing Objective on this occasion was the 'Prevention of Public Nuisance'.

On hearing evidence from the Applicant and Principle Environmental Health Officer.

RESOLVED: That the Application for a Temporary Event Notice submitted in respect of Alpine Club Lodge, Railway Road, Ormskirk L39 2DN (1 January 2018) be GRANTED with conditions.

.....
Chairman



WEST LANCASHIRE BOROUGH COUNCIL

LICENSING SUB COMMITTEE

HEARING PROCEDURE

1. The Chairman introduces the Members and the main Officers.
2. The Chairman invites the other parties to the hearing to introduce themselves.
3. The Chairman refers to this procedure, which will be followed.
(NB. The Chairman will explain that he will allow the parties to proceed without specific time constraints).
4. The Chairman asks the Director Leisure and Wellbeing (or their representative) to outline the application.
5. Applicant's case
 - (a) The Applicant (or representative) will present their case. This will include general opening remarks followed by calling witnesses.
 - (b) The other parties to the hearing may then ask questions of the Applicant and witnesses, commencing with each Responsible Authority (if present) and concluding with the Sub-Committee.
6. Relevant representations – Responsible Authorities (if present)
 - (a) Each Responsible Authority (or representative) will present their case. This will include general opening remarks followed by calling witnesses.
 - (b) The other parties to the hearing may then ask questions of each Responsible Authority and witnesses, commencing with the Applicant and concluding with the Sub-Committee.
7. Relevant Representations – Interested Parties (if present)
 - (c) Interested Parties will be asked by the Chairman if they wish to elect a spokesperson or representative (or speak individually). Interested Parties will present their case. This will include general opening remarks followed by calling witnesses.

- (d) The other parties to the hearing may then ask questions of the Interested Parties and witnesses, commencing with the Applicant and concluding with the Sub-Committee.
8. If several representations (objections) have been received, Interested Parties may question the Applicant and witnesses in turn in an order to be determined by the Chairman. The same order will follow when it comes to the Interested Parties being questioned.
 9. The Chairman to ask all parties and the Sub-Committee if they have any further relevant questions or comments arising from the hearing.
 10. Interested Parties, Responsible Authorities and the Applicant to make their closing address in that order (so that the Applicant has the final say).
 9. The Chairman will ask the Legal Adviser whether there are any other matters to be raised or resolved before the hearing is closed for deliberations.
 10. The Sub-Committee will retire to determine the application calling the Legal Advisor and Member Services Officer as needed.
 11. When the Sub-Committee returns the Chairman will announce the decision and give reasons. All parties to the hearing will receive confirmation of the decision in writing within five working days.

End.

If any of the parties, representative or observers, wish to discuss any matters relating to the hearing, Officers will be available at the conclusion of the hearing.



AGENDA ITEM:

LICENSING SUB-COMMITTEE

Date: 16 January 2018

Report of: Director Of Leisure And Wellbeing

Contact for further information: Michaela Murray (Extn 5315)
(E-mail:Michaela.murray@westlancs.gov.uk)

SUBJECT: APPLICATION FOR A PREMISES LICENCE IN RESPECT OF G & H CONVENIENCE STORE, 120 ABBEYWOOD, SKELMERSDALE, WN8 9LR

Borough wide interest

1.0 PURPOSE OF REPORT

1.1 To consider an application under the Licensing Act 2003 (the Act) for the grant of a premises licence in respect of G & H Convenience Store, 120 Abbeywood, Skelmersdale.

2.0 RECOMMENDATIONS

2.1 The Sub-Committee's instructions are requested.

3.0 PREMISES INFORMATION

- | | | |
|-----|--------------------------------|--|
| 3.1 | Address of Premises: | 120 Abbeywood
Skelmersdale
WN8 9LR |
| 3.2 | Premises Licence Holder: | Mr Andrew Hewitt
38 Daniels Lane
Skelmersdale
WN8 9NH |
| 3.3 | Designated Premise Supervisor: | Mr Andrew Hewitt
38 Daniels Lane
Skelmersdale
WN8 9NH |

4.0 THE APPLICATION

- 4.1 On 17 November 2017 an application for the grant of a Premises Licence was received, a copy of which is attached as Appendix 1 to this report.
- 4.2 A location plan is attached at Appendix 2 to this report.

4.3 There has been a relevant representation received against the application from a member of the public. A copy of the representation is attached as Appendix 3 to this report.

5.0 RELEVANT REPRESENTATIONS

5.1 The representation received (Appendix 3) raises concerns that the application does not promote the Licensing Objectives. The representation is made under the Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm Licensing Objective.

6.0 RESPONSIBLE AUTHORITIES

6.1 A representation, including conditions, was initially made by Lancashire Constabulary and is attached as Appendices 4 and 4a to this report. The applicant subsequently agreed for the conditions to be attached to the Premises Licence should the application be granted.

7.0 LICENSING POLICY AND LEGAL CONSIDERATIONS

7.1 The Local Authority must have regard to the provisions of the Licensing Act 2003. In addition Section 4 of the Licensing Act 2003 provides that a Licensing Authority must have regard to its Statement of Licensing Policy and to the guidance issued by the Secretary of State under Section 182 of the Act.

7.2 As Members will be aware, the four licensing objectives are as follows:

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

7.3 The Act provides that before determining the application, the Licensing Authority must hold a hearing to consider it and relevant representations.

7.4 The Licensing Authority in determining the application, having had regard to the application and any representations, may take the following steps if it considers it necessary for the promotion of the licensing objective:

- (i) Modify/Add conditions in respect of the New Application
- (ii) Refuse a licensable activity from the New Application.

7.5 In deciding which of the powers to use it is expected that the Licensing Authority should, as far as possible, seek to establish the causes of the concerns that the representations identify. Any action the Committee may wish to take should generally be directed at these causes and should always be no more than an appropriate response in the cause of promoting the licensing objectives.

7.6 In particular, Members' attention is drawn to the following sections of the Policy, which must be read in conjunction with this report:

Section 4	The Prevention of Crime & Disorder	pages 10-12
Section 4	Public Safety	pages 12-14
Section 4	Prevention of Public Nuisance	pages 14-17
Section 4	The Protection of Children from harm	pages 17-19

8.0 HUMAN RIGHTS ACT IMPLICATIONS

8.1 The Human Rights Act 1988 makes it unlawful for a Local Authority to act in a way that is incompatible with the European Convention on Human Rights. The Council will have particular regard to the following convention rights;

Article 6

that in the determination of civil rights and obligations everyone is entitled to a fair public hearing within a reasonable time by an independent and impartial tribunal established by law;

Article 8

that everyone has the right to respect for his home and family life;

Article 1 of the First Protocol

that every person is entitled to the peaceful enjoyment of his/her possessions including for example, possession of a licence.

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

9.1 The recommendations contained in this report have limited sustainability and/or community strategy implications. However, the Council's Licensing Policy (required under the Licensing Act 2003), which underpins the Committee's decision, impacts upon many areas within the Community. The Licensing Objectives contained in the Policy fit closely with many aspects of the Community Strategy and has the following links with the Community Strategy: Community Safety (issues A, C and E); Economy and Employment (issue D); Health and Social Care (issue A).

10.0 FINANCIAL AND RESOURCE IMPLICATIONS

10.1 No additional financial or other resources are required.

11.0 RISK ASSESSMENT

11.1 The Council has a legal duty to administer the Licensing Act 2003 and is under a legal duty to determine the matter contained in this report. A failure to determine this matter would result in potential legal challenge.

Background Documents

There are no background documents (as defined in Section 100 D (5) of the Local Government Act 1972) have been relied on to a material extent in the preparation of this report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Premises licence application	(Appendix 1)
Location Plan	(Appendix 2)
Representation from Local Resident	(Appendix 3)
Agreed Lancashire Constabulary Conditions	(Appendices 4 & 4a)

West Lancashire Council

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **Mr Andrew Hewitt**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description G & H Convenience Store 120 Abbeywood			
Post town	Skelmersdale	Postcode	WN8 9LR
Telephone number at premises (if any)		07761 697840	
Non-domestic rateable value of premises		£ 4.750	

Part 2 - Applicant details

- | | |
|---|---|
| Please state whether you are applying for a premises licence as | Please tick as appropriate |
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |
| f) a health service body | <input type="checkbox"/> please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname HEWITT			First names Andrew		
Date of birth: 04.04.1971		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality: British					
Current residential address if different from premises address		38 Daniels Lane			
Post town	Skelmersdale		Postcode	WN8 9NH	
Daytime contact telephone number		07761 697840			
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current postal address if different from premises address					

Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	4	1 2 2 0 1 7

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

Small community grocery store in a residential area

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

<input type="text"/>

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J) **X**

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>			
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 5)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Fri						
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur								
Fri								
Sat						Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun								

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	07.00	21.00			
Tue	07.00	21.00			
Wed	07.00	21.00			
Thur	07.00	21.00			
Fri	07.00	21.00			
Sat	07.00	21.00			
Sun	07.00	21.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr Andrew Hewitt	
Date of birth: 4th April 1971	
Address 38 Daniels Lane Skelmersdale	
Postcode	WN8 9NH
Personal licence number (if known) To follow	
Issuing licensing authority (if known) West Lancs Borough Council	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
None**

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	07.00	21.00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue	07.00	21.00	
Wed	07.00	21.00	
Thur	07.00	21.00	
Fri	07.00	21.00	
Sat	07.00	21.00	
Sun	07.00	21.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

CCTV installed at the premises to cover the internal customer area and the external exits of the premises. The equipment will be maintained to the standard of Lancashire Police Policy. All images to be retained for a minimum of 28 days and to be made available on request to authorised officers.

b) The prevention of crime and disorder

Spirits of high ABV to be stored and sold behind the counter.
When the DPS is not on duty a contact telephone number will be available at all times.
Records of incidents will be recorded in an Incident log and retained on the premises for 12 months. The premises will operate and record all Incidents of criminal activities, anti-social behaviour and injuries to persons using the following Compliance log books Customer Refusal, Authorisation of Alcohol, ID Signature to assist the police and authorities in carrying out their investigations. All log books are fit for purpose and will be retained on the premises for 12 months.

c) Public safety

No risk has been assessed under the Licensing Act 2003

d) The prevention of public nuisance

Notices will be clearly displayed asking customers to leave the area quickly and quietly.

e) The protection of children from harm

The premises will adopt the Challenge 25 policy together with an Age Verification training scheme. The training subject matter will consist of underage sales, checking ID, proxy sales, basic conflict management and relevant areas of the Licensing Act 2003 with penalties for breach. Refresher training will be carried out every 12 months. All training records to be stored on the premises and available for inspection by Authorised Officers.

The only ID that will be accepted is Identification that adheres to the Home Office policies and guidelines.

The premises will also maintain an ID signature log book as an additional support. All refusals of sale for alcohol to suspected underage / drunk persons will be entered in a log book. Additional signage regarding proxy sales will be displayed near the alcohol sales areas.

Notices will be displayed to this effect in prominent positions in the shop.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). X

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

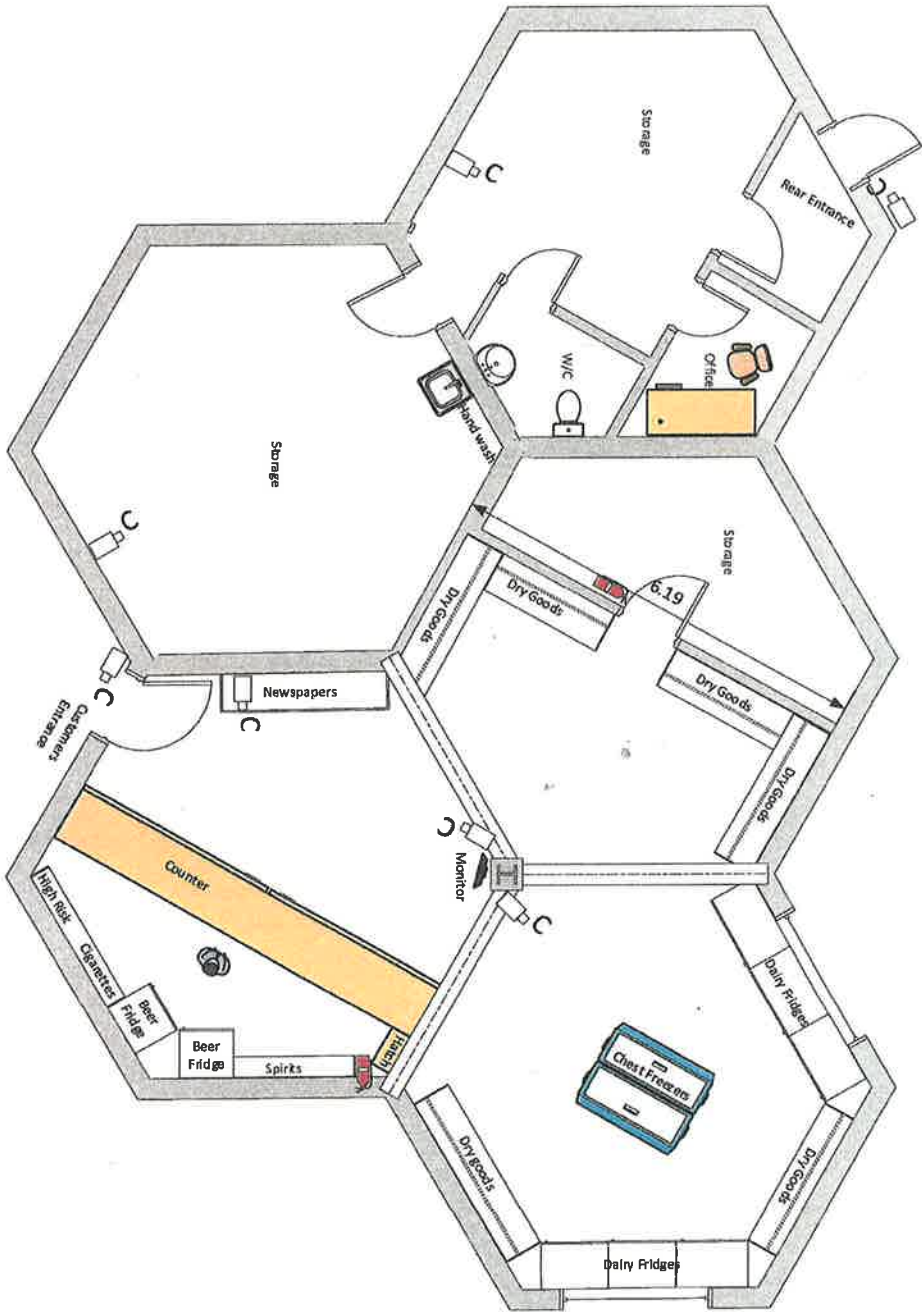
Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>J. Clarke</i>
Date	15 th November 2017
Capacity	Agent on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

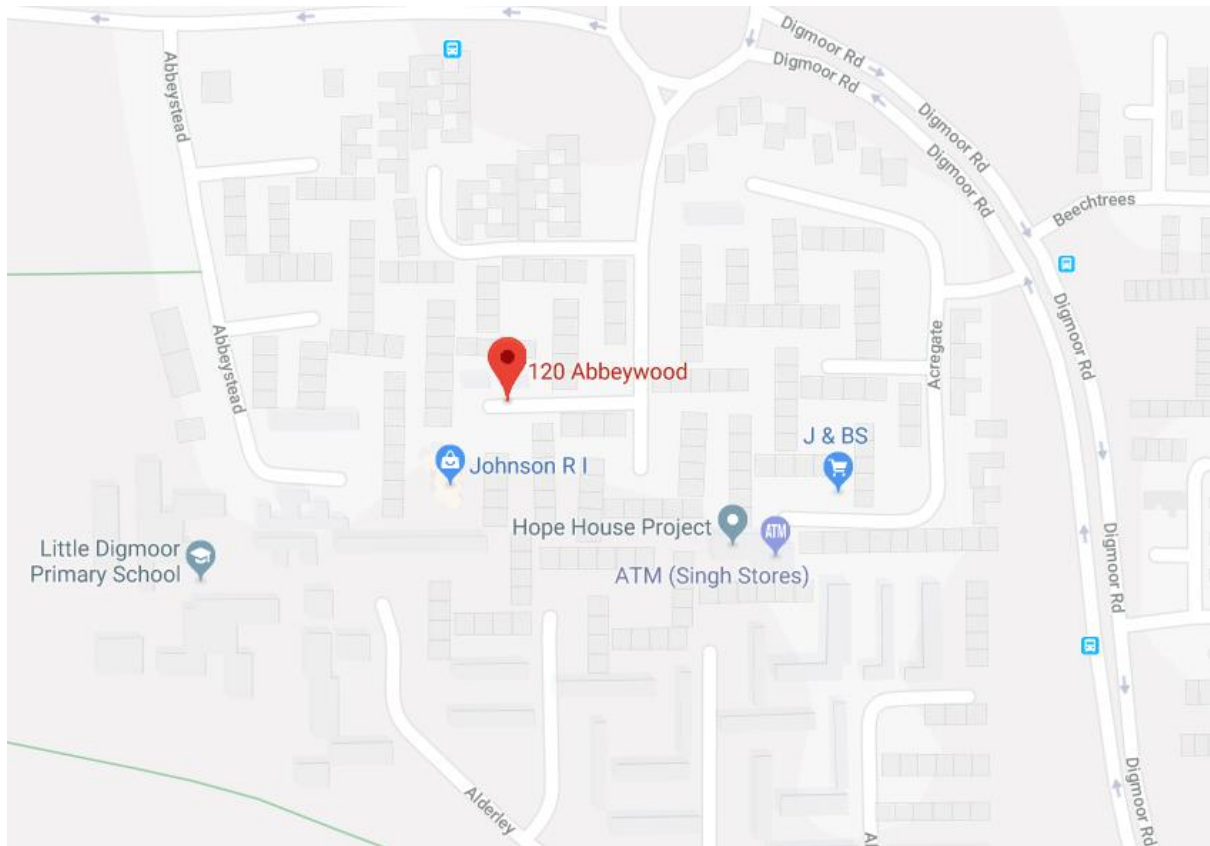
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) June Clarke Licensing Consultant, Licensing House, Room 2, Unit 5e Delta Ind.Est., Delta Road,			
Post town	St Helens	Postcode	WA9 2EQ
Telephone number (if any)	07834 529 712		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) licensinghouse@me.com			



Drawing Purpose	PREMISES LICENSE APPLICATION	Name of Premises	G & H CONVENIENCESTORE	Scale	1:400	Premises Address	120 ABBEYWOOD SKELMESDALE WV8 9UG
Drawing Details	<p>The purpose of this drawing is for the submission of a Premises Licence Application. All Measurements have been drawn in millimetres. This drawing is not to be used for the intention of any building, shop fitting or construction purposes.</p>						
Notes	<p>Notes: CAMERA</p>						

Appendix 2 – Location Plan



From: Murray, Michaela
Sent: 14 December 2017 11:39
To: Murray, Michaela
Subject: FW:

Importance: High

From: Christine Cunningham [<mailto:c.cunningham@brighthouse-woff.co.uk>]
Sent: 11 December 2017 13:20
To: Licensing Enquiries <Licensing.Enquiries@westlancs.gov.uk>
Subject:
Importance: High

Our Ref: SM/114603/Uppal/CC

West Lancashire Borough Council
Licensing Section
Robert Hodge Centre
Stanley Way
Skelmersdale
Lancs. WN8 8EE

By E-mail Only

Dear Sirs,

**Re: Letter of Representation - Application for New Premises Licence
G & H Convenience Store, 120 Abbeywood, Skelmersdale WN8 9LR.**

We act for Mr. Mangal Singh Uppal of 225 Elmers Green Lane, Skelmersdale, Lancashire WN8 6SJ, proprietor of the Singh Stores, 33 Acregate, Little Digmoo, Skelmersdale, Lancashire WN8 9LX, in regard to the making of the following representations in respect to the above application:-

Our client is concerned that the above application does not promote the Licensing Objectives as follows:

The Prevention of Crime and Disorder.

In the vicinity of these premises there is a problem of anti-social behaviour with gangs of youths congregating, underage drinking, the taking of drugs and vandalism.

The premises, which are the subject of the application, have suffered a number of robberies in recent years.

The lighting in the area of the premises is poor.

There are no Council/Police CCTV cameras in the area of the premises.

Public Safety

As above.

The Prevention of Public Nuisance

As above.

Our client is also concerned about the very limited/restricted car parking in the area of these premises

The Protection of Children from Harm

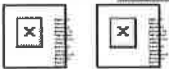
Our client has raised concerns that the grant of an Off Licence at this location could result in an increase in underage drinking.

Please acknowledge receipt of this letter of representation.

Yours faithfully,

Stephen Mossman
Brighouse Wolff

Brighouse Wolff
Whelmar House, Southway,
SKELMERSDALE,
Lancs. WN8 6NX
DX 22203 Skelmersdale
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Please note that our offices will be closed for Christmas and New Year from 11AM on Friday 22nd December 2017, and will reopen at 9AM Tuesday 2nd January 2018. We would like to take this opportunity to wish everyone a Merry Christmas and a Happy New Year.

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[REDACTED]

From: Robson, Linda <Linda.Robson@lancashire.pnn.police.uk>
Sent: 30 November 2017 14:48
To: [REDACTED]
Cc: Murray, Michaela
Subject: G & H Convenience Store, Skelmersdale
Attachments: General conditions Off Licence.docx

Hi June

Further to my visit yesterday in company with Michaela Murray, Licensing Enforcement, West Lancashire Borough Council we discussed the new premises licence application and attached conditions with Andrew. Could you please confirm via email your clients' agreement to the conditions and reply to both myself and Michaela Murray. Michaela's email address is <mailto:Michaela.murray@westlancs.gov.uk> Michaela.murray@westlancs.gov.uk

Kind regards

Linda Robson

Licensing Unit

Chorley Police Station

Tel: 01257 246215

Mob: 07946 177855

Email: linda.robson@lancashire.pnn.police.uk

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CONDITIONS

1. 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:
 - a) The system shall cover all entrances and exits from the premises, in addition to covering all internal areas of the premises used to display/supply licensed products
 - b) The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
 - c) The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days.
 - d) The Data Controller shall make footage available to a Police Officer or authorised officer, where such a request is made.
 - e) Signage advising that CCTV is in operation.

2. A documented Challenge 25 scheme will be operated at the premises. The Challenge 25 scheme will be actively promoted and advertised at the premises and any person purchasing alcohol, who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

The Proof of Age Standards Scheme (PASS) will be actively promoted at the premises by the display of Challenge 25 posters bearing the PASS logo. A PASS accredited holographic proof of age card will be the main identification document accepted at the premises as proof of age. A PASS card must be accepted as proof of age if a purchaser possesses one. Where a purchaser does not possess a PASS accredited proof of age card, only the following alternative forms of identification will be acceptable:-

- (a) Photo Driving Licence
- (b) Passport or
- (c) Her Majesty's Forces Warrant Card

3. A documented training scheme shall be introduced for all staff in a position to sell, serve or deliver alcohol. The scheme shall be made available for inspection at the request of any Police Officer, Trading Standards Officer or Local Authority Enforcement Officer.

The Designated Premises Supervisor of Premises Licence Holder shall conduct six monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. The written record shall be kept of the content of such reviews and be available for inspection by any responsible authority upon request.

4. An incident book / refusals register shall be kept and maintained at the premises indicating the date, time and reason for any refusal / incident of Crime and Disorder and will be made available for inspection by any responsible authority upon request.
5. Alcohol stock not on display must be kept in a secure/locked area
6. A panic alarm must be fitted behind the counter for use by members of staff in case of an emergency