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West Lancashire
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Tuesday 9 October 2018

<p style="text-align: center;">COUNCIL MINUTE BOOK</p>

These Minutes are not included on the Council Agenda (except for specific items, which may be included on the Agenda, if necessary) but are enclosed for information for the Council Meeting on Wednesday 17 October.

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Agenda Item 1a

CABINET

HELD: Wednesday, 18 July 2018

Start: 6.30 pm

Finish: 6.50 pm

PRESENT:

Councillors:

Portfolio

Councillor Ian Moran	Leader of the Council and Portfolio Holder for Economic Regeneration
Councillor Yvonne Gagen	Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
Councillor Claire Cooper	Portfolio Holder for Communities and Older People
Councillor Jenny Forshaw	Portfolio Holder for Housing and Landlord Services
Councillor John Hodson	Portfolio Holder for Planning
Councillor Kevin Wilkie	Portfolio Holder for Street Scene
Councillor Kevin Wright	Portfolio Holder for Health and Community Safety
Councillor Adam Yates	Portfolio Holder for Resources & Transformation

Officers:

Kim Webber, Chief Executive
John Harrison, Director of Development and Regeneration
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
Heidi McDougall, Director of Leisure & Environment
Terry Broderick, Borough Solicitor
Marc Taylor, Borough Treasurer
Simon Burnett, Deputy Director of Leisure and Wellbeing
Ian Gill, Deputy Director of Development & Regeneration
Jacky Denning, Assistant Member Services Manager

13 APOLOGIES

There were no apologies for absence.

14 SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS

There were no items of special urgency.

15 DECLARATIONS OF INTEREST

Councillor Gagen declared a non-pecuniary interest in agenda item 7(b) (Moor Street Gateway Redevelopment) as an employee of Lancashire County Council.

16 PUBLIC SPEAKING

There were no items under this heading.

17 MATTER REQUIRING DECISION

Consideration was given to the report relating to the following matter requiring a decision as circulated and contained on pages 221 – 236 of the Book of Reports.

18 RECYCLING UPDATE

Councillor Wilkie introduced the report of the Director of Leisure and Environment which provided an update on the changes to the recycling and garden waste service in order to improve the future efficiency of the service.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That it be noted that the provision of free brown bins to those residents that were re-subscribing to the garden waste service, as outlined in paragraph 5.8 of the report, ceased on 16 July 2018 and that any brown bins ordered from this date incurred a charge of £25.
 - B. That it be noted that the payment scheme outlined in the policy options report, approved by Council in December 2017, applied to all bins and all households, except in exceptional circumstances and for those properties that require an additional grey bin for medical waste, as outlined in paragraph 5.17 of the report.
 - C. That subject to approval of budget by Council the deadline of 16 July, referred to in A. above, be extended until 31 October 2018 to enable those residents who are using blue boxes (or other containers) for paper and cardboard to order a green bin free of charge, as outlined in paragraphs 5.12 and 5.15 of the report.
 - D. That the use of blue boxes (or other containers) for glass, cans and plastic bottles be withdrawn by 31 October 2018, except for those properties outlined in paragraph 5.22 of the report, and that the option outlined in paragraph 5.28 of the report, to provide blue bins free of charge to those residents using blue boxes or other containers or previously had a box be approved.
 - E. That an exemption to Contract Procedure Rule 7 be authorised, as the contract is expected to exceed £50,000, which would normally require a competitive tender process, as this will enable the current supplier of bins to be used to supply the

green and blue bins, as outlined at paragraph 5.28 of the report.

- F. That Council be recommended to approve:
 - (i) The funding of £200,000 from capital receipts to fund blue and green bins to those properties that are using boxes, other containers or previously had a box, until 31 October 2018, as outlined in paragraphs 5.15, 5.26 and 5.28 of the report; and
 - (ii) That residents who have purchased a blue bin since 12 March 2018 to replace the use of a blue box or other containers, as outlined in paragraph 5.22 of the report, be refunded.
- G. That subject to F. above, delegated authority be given to the Director of Leisure and Environment, in consultation with the relevant portfolio holder, to take all necessary steps to implement C. and D. above.
- H. That this report is not appropriate for call in due to this matter being one where urgent action is required in order to provide a clear notification to residents of service changes resolving concerns.

19 EXCLUSION OF PRESS AND PUBLIC

RESOLVED That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 (financial/business affairs) of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

(Note: No representations had been received in relation to the following items being considered in private.)

20 MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring a decision as circulated and contained on pages 237 – 388 of the Book of Reports.

21 LEISURE FACILITY AND CONTRACT PROCUREMENT

Councillor Gagen introduced the report of the Director of Leisure and Environment which provided an update on the implementation of the key actions within the 2015-2025 West Lancashire Leisure Strategy and sought authority to continue with its

implementation.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the progress made on the key actions contained within the Leisure Strategy be noted.
 - B. That the Director of Leisure and Environment be given delegated authority in consultation with the Portfolio Holder for Leisure and Human Resources to enter into a Memorandum of Understanding with the West Lancashire Clinical Commissioning Group (WLCCG) concerning the development of new health and leisure centres.
 - C. That a Design Build Operate and Maintain (DBOM) approach be taken in the procurement exercise for the replacement of Nye Bevan and Park Pool and for a new leisure management contract and that the Director of Leisure and Environment, subject to Council approval of the relevant funds, be given delegated authority in consultation with Portfolio Holder for Leisure and Human Resources to procure the necessary technical support.
 - D. That the Director of Development and Regeneration be given delegated authority in consultation with the Portfolio Holder for Economic Regeneration to enter into Supplemental Agreements with St Modwen and Homes England in relation to the proposed site for the Skelmersdale leisure facility.
 - E. That Churchfields be approved as the preferred site for a replacement for Park Pool in Ormskirk and that, subject to Council approval of the relevant funds, the Director of Leisure and Environment be given delegated authority, in consultation with the Portfolio Holder for Leisure and Human Resources, to produce a site masterplan and to undertake a community consultation exercise.
 - F. That, subject to Council approval of the relevant funds, the Director of Leisure and Environment be given delegated authority, in consultation with the Portfolio Holder for Leisure and Human Resources, to commission site surveys on the proposed sites in Skelmersdale and Ormskirk and to seek pre application advice.
 - G. That call-in is not appropriate in this instance, as this matter is one where urgent action is required as delays could significantly impair progress of the procurement process and potentially increase the build costs of schemes

22 MOOR STREET GATEWAY REDEVELOPMENT

The Leader introduced the report of the Director of Development and Regeneration which provided an update on progress of the Moor Street Gateway Project incorporating the Ormskirk Bus Station site.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That Scheme A, with the highest score achieved in the competitive tender process, be acknowledged as an appropriate redevelopment scheme for the site (subject to planning permission).
 - B. That delegated authority be given to the Director of Development & Regeneration, in consultation with the Portfolio Holder for Regeneration & Estates, to:
 - 1) Negotiate terms and enter into an agreement with Lancashire County Council in respect of its financial contribution to the Project.
 - 2) Negotiate terms and enter into all necessary agreements with the preferred developer and appropriate parties.
 - 3) Take all necessary steps to implement and complete the Project including, where necessary entering into legal agreements.
 - 4) Secure appropriate tenants for the ground floor space that will belong to the Council.
 - C. That the Director of Development & Regeneration be authorised to pursue and accept any external grant funding that would benefit the Project.
 - D. That call-in is not appropriate for this item as this matter is one where urgent action is required as any delays could significantly impair securing the contract with the preferred developer and the funding arrangements and appropriate agreements with other parties.

23 DELIVERING THE SKELMERSDALE TOWN CENTRE SCHEME

The Leader introduced the joint report of the Director of Regeneration and the Borough Treasurer, which sought agreement for an appropriate way of funding and delivering the development scheme in Skelmersdale Town Centre.

In reaching the decision below, Cabinet considered the details as set out in the

report before it and accepted the reasons contained therein.

- RESOLVED
- A. That, subject to the approval of budgetary provisions by Council, delegated authority be given to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Economic Regeneration, to take all necessary steps to enable a Phase 1 scheme to proceed, as set out in Paragraphs 6 and 8 of the report, and negotiate and determine the terms of and enter into all relevant agreements, to include;
 - 1) supplemental agreements to the Development Agreement and Collaboration Agreement;
 - 2) an agreement for JLL to be employed to undertake further work in securing the final financial appraisal and funding arrangements and financial agreement between the Council and its partners (to be financed through the scheme appraisal), with an exemption from the Contracts Procedure Rules being given for the reasons set out at paragraph 6.11 of the report; and
 - 3) a funding agreement, on the basis set out in the report in Paragraphs 6 and 8.

 - B. That call-in is not appropriate for this item as the matter is one where urgent action is required because, if the opportunity is not taken at this time, there is a greater risk of factors outside the Council's control preventing the scheme from proceeding.

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Leader

Agenda Item 1b

CABINET

HELD: Tuesday, 11 September 2018

Start: 7.00 pm

Finish: 8.00 pm

PRESENT:

Councillor: Councillor Ian Moran
(Leader, in the Chair)

Councillors:	Councillor Yvonne Gagen	<u>Portfolio</u> Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
	Councillor Claire Cooper	Portfolio Holder for Communities and Older People
	Councillor Jenny Forshaw	Portfolio Holder for Housing and Landlord Services
	Councillor John Hodson	Portfolio Holder for Planning
	Councillor Kevin Wilkie	Portfolio Holder for Street Scene
	Councillor Kevin Wright	Portfolio Holder for Health and Community Safety
	Councillor Adam Yates	Portfolio Holder for Resources & Transformation

In attendance: Councillors Davis, Owens & D Westley
Councillors

Officers: Kim Webber, Chief Executive
John Harrison, Director of Development and Regeneration
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
Heidi McDougall, Director of Leisure & Environment
Terry Broderick, Borough Solicitor
Marc Taylor, Borough Treasurer
Peter Richards, Strategic Planning & Implementation Manager
Sue Griffiths, Principal Member Services Officer

24 **APOLOGIES**

There were no apologies for absence.

25 **SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS**

There were no items of special urgency.

26 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

27 PUBLIC SPEAKING

Representations were received from two residents in relation to the following item:-

Agenda item 6(e) – Local Plan Review – Proposed Local Plan Preferred Options Consultation.

28 MINUTES

RESOLVED That the minutes of the Cabinet meetings held on 12 June and 18 July 2018 be received as a correct record and signed by the Leader.

29 MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as circulated and contained on pages 233 – 981 and 989 - 996 of the Book of Reports.

At this point the Leader changed the order to business to enable agenda item 6e (Proposed Local Plan Preferred Options Consultation) to be considered before item 6a.

30 WATER ENVIRONMENT GRANT

Councillor Gagen introduced the report of the Director of Leisure and Environment which sought delegated authority to accept an offer of external funding from the Water Environment Grant Scheme for the development of Sustainable Urban Drainage Systems (SUDS) in Tawd Valley Park, Skelmersdale.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the Director of Leisure and Environment be given delegated authority to formally accept the offer of a Water Environment Grant of up to £982,000, to be used in the Tawd Valley Park Project, and to take all necessary steps to comply with the terms of the Grant.

(B) That call-in is not appropriate for this report as the matter is one requiring urgent action.

After consideration of this item business was suspended due to disturbance by the public.

31 QUARTERLY PERFORMANCE INDICATORS Q1 2018-19

The Leader introduced the report of the Director of Housing and Inclusion which presented performance monitoring data for the quarter ended 30 June 2018.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the Council's performance against the indicator set for the quarter ended 30 June 2018 be noted.

(B) That the call-in procedure is not appropriate for this item as the report will be submitted to the meeting of the Corporate & Environmental Overview & Scrutiny Committee on 11 October 2018.

32 DRAFT CIL FUNDING PROGRAMME 2019/20

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought authority to consult the public on the draft CIL Funding Programme for 2019/20, which included options for prioritising potential infrastructure projects for receipt of CIL Funding in this year.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the public consultation on a Draft CIL funding Programme for 2019/20 be approved, and that the shortlist of infrastructure projects identified at paragraph 4.1 of the report be included in that consultation.

(B) That the public consultation on the spending of "neighbourhood" CIL monies in Ormskirk be approved, and that the shortlist identified at paragraph 4.2 of the report be included in that consultation.

33 LOCAL DEVELOPMENT SCHEME UPDATE

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought approval for an updated Local Development Scheme, which slightly amended the timetable for the Local Plan Review.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED That the Local Development Scheme attached at Appendix A to the report be approved for publication and to take effect from 1

October 2018.

34 **LOCAL PLAN REVIEW - PROPOSED LOCAL PLAN PREFERRED OPTIONS CONSULTATION**

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought authorisation to consult the public on the Council's Preferred Options for a new Local Plan.

Minute No. 49 of the Planning Committee meeting held on 6 September 2018 was circulated at the meeting and in relation to minute 49 (B), the Portfolio Holder confirmed that an additional event would be held in the South Eastern Parishes.

A motion from Councillor J Hodson was circulated at the meeting.

At the invitation of Councillor J Hodson, the Director of Development and Regeneration and the Strategic Planning & Implementation Manager addressed the meeting to provide an outline of the local plan process.

In reaching the decision below, Cabinet considered the minute of the Planning Committee, the motion from Councillor J Hodson, the representations of Minute 27 above, the comments of the officers (Director of Development and Regeneration & Strategic Planning & Implementation Manager) and the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the agreed comments of the Planning Committee be noted.

(B) That the Local Plan Preferred Options document provided at Appendix C be approved for a six week public consultation exercise, subject to the revision of paragraph 3.12 in order to provide further clarification of the calculation for the housing requirement for the local plan.

(C) That the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, be authorised to finalise and make amendments, prior to public consultation, to the Local Plan Preferred Options following consideration of any agreed comments from the Executive Overview & Scrutiny Committee.

(D) That call-in is not appropriate for this item as the report is being considered at the next meeting of the Executive Overview and Scrutiny Committee on 27 September 2018.

35 **RISK MANAGEMENT**

Councillor Yates introduced the report of the Borough Treasurer which set out details on the key risks facing the Council and how they are being managed.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED That the progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A to the report) be noted and endorsed.

36 **DEVELOPING AND SELLING PRODUCTS TO PROMOTE PLACES WITHIN WEST LANCASHIRE**

The Leader introduced the report of the Director of Development and Regeneration which sought approval to develop and sell Ormskirk branded products in order to promote the Town.

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the sale of Council created branded items through a range of mediums including utilising local retailers, attractions and online be approved.

(B) That authority be given to the Director of Development and Regeneration to take all steps necessary to design, produce and sell products through local retailers, attractions, the Chapel Gallery and/or online, subject to suitable financial probity measures being put in place.

37 **SUSTAINABLE ORGANISATION REVIEW - APPOINTMENT OF CONTRACTOR**

Councillor Yates introduced the report of the Borough Solicitor which sought agreement of the appointment of the contractor for the Sustainable Organisation Review Project (SORP).

In reaching the decision below, Cabinet considered the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the report be noted.

(B) That subject to the approval of Council, Red Quadrant be appointed as the contractor for the Sustainable Organisation Review Project.

38 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the

likely disclosure of exempt information as defined in paragraph 3 (financial/business affairs) of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

(Note: No representations had been received in relation to the following item being considered in private.)

39 MATTER REQUIRING DECISION

Consideration was given to the report relating to the following matter requiring a decision as contained on pages 981 – 986 and 997 – 1003 of the Book of Reports.

40 DISPOSAL - LAND ADJACENT TO THE WATER TOWER, TOWER HILL, ORMSKIRK

The Leader introduced the report of the Director of Development and Regeneration which sought approval to dispose of an area of land adjacent to the Water Tower, Tower Hill, Ormskirk.

The revised report of the Director of Development and Regeneration was circulated at the meeting.

A motion from the Leader was circulated at the meeting.

In reaching the decision below, Cabinet considered the revised report, the motion from the Leader and the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That the Director of Development and Regeneration be authorised to take all necessary steps to facilitate a sale of the subject land for the sum of £35,000 plus costs as set out in Section 5 of the report.

(B) That the capital receipt from the sale of the land be used to fund the provision of new allotments or to enhance existing allotments in Ormskirk.

.....
Leader

Agenda Item 2a

LICENSING SUB-COMMITTEE

HELD: Monday, 13 August 2018

Start: 10.00 a.m.

Finish: 12.40 p.m.

PRESENT:

Councillor: J Kay (Chairman)

Councillors: N Hennessy K Wright

Officers: Mrs K Lovelady (Principal Solicitor)
Ms. G. Perkins (Senior Environmental Health Officer)
Mrs S Jordan (Senior Licensing Officer)
Mrs J A Ryan (Member Services/Civic Support Officer)

In attendance: Mr J Taggart (Representing the Applicant)
Mr D Webster
PC Julie Stewart (Lancashire Constabulary)
PC Jan Coll (Lancashire Constabulary)
Linda Robson (Lancashire Constabulary)

1 APOLOGIES

There were no apologies for absence received.

2 MEMBERSHIP OF THE COMMITTEE

There were no changes to the Membership of the Committee.

3 URGENT BUSINESS

There were no urgent items of business.

4 DECLARATIONS OF PARTY WHIP

There were no declarations of Party Whip.

5 DECLARATIONS OF INTEREST

There were no declarations of interest received.

6 MINUTES

RESOLVED: That the minutes of the meeting held on the 13 March 2018 be noted.

7 LICENSING HEARING PROCEDURE

The Chairman referred to the Licensing Hearing Procedure.

8 APPLICATION FOR PREMISES LICENCE IN RESPECT OF BOOZED UP, 61 LANCASTER CRESCENT, SKELMERSDALE

Consideration was given to the report of the Director of Leisure and Environment as contained on paged 7 to 52 of the Book of Reports which was to consider an application for a premises licence in respect of Boozed Up, 61 Lancaster Crescent, 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. It considered the relevant Licensing Objectives on this occasion were the 'Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm'.

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

RESOLVED: That the application be refused.

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-CHAIRMAN-

LICENSING SUB-COMMITTEE

HELD: Thursday, 6 September 2018

Start: 10.30AM

Finish: 4.30PM

PRESENT:

Councillor: N Furey (Chairman)

Councillors: G Owen J Kay

In attendance: Mr S Physick (Applicant)
Mr Physick Senior (Applicants Father)
N Hennessy (Ward Councillor)

Officers: Kay Lovelady, Principal Solicitor
Michaela Murray, Senior Licensing Officer
Karen Smith, Legal Assistant
Jill Antrobus, Senior Environmental Health Officer
Kate Riley, Environmental Health Officer
Julia Brown, Member Services/Civic Support Officer
PC Julie Stewart, Lancashire Constabulary
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 urgent items of business.

12 DECLARATIONS 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 13 August 2018 be noted.

15 LICENSING HEARING PROCEDURE

The Chairman referred to the Licensing Hearing Procedure.

16 **APPLICATION FOR PREMISES LICENCE IN RESPECT OF THE TIMBER YARD, MOORGATE, ORMSKIRK L39 4RX**

Consideration was given to the report of the Director of Leisure and Environment as contained on pages 59 to 130 of the Book of Reports which was to consider an application for a premises licence in respect of The Timber Yard, Moorgate, Ormskirk L39 4RX.

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 were 'Prevention of Crime and Disorder' and 'Prevention of Public Nuisance'.

On hearing evidence from the Applicant, Lancashire Constabulary, Environmental Protection, and Objectors the Sub – Committee:-

RESOLVED :-A. That the premises shall be open to the public between 11.00 hours to 23.00 hours Monday to Thursday, 11.00 hours to 00.00 Midnight Friday and Saturday and 12.00 Midday to 23.00 hours on Sunday.

B. That the sale of alcohol for on sales only shall be permitted between 11.00 hours and 22.30 hours Monday to Thursday, 11.00 hours to 23.30 hours Friday and Saturday and 11.00 hours to 10.30 hours Sunday.

C. That the provision of recorded music inside premises only shall be permitted between 11.00 hours and 22.30 hours Monday to Thursday, 11.00 hours to 23.30 hours Friday and Saturday and 12.00 midday to 22.30 hours Sunday.

D. That the provision of live music indoors and acoustic only shall be permitted between 11.00 hours and 22.00 hours Friday and Saturdays.

E. CONDITIONS:-

1. That contact details of the Designated Premises Supervisor and the Premises Licence Holder are available to staff and the authorities at all times.
2. That a contact telephone number for the premises will be displayed on the front gates of the Premises to allow anyone who wishes to report an issue directly to the premises to do so. The said telephone must remain operational at all times the number is displayed.
3. That a Personal Licence Holder must be on duty any time the business is open to the public.
4. That the premises shall install, operate and maintain a CCTV system which shall be in use all times the premises is open to the public and comply as

follows:-

- I. The system will cover all internal public areas of the premises and any external areas used by customers of the premises.
 - II. The system will cover all entrances and exits and be capable of capturing a head and shoulders image of all persons entering the premises.
 - III. The system shall cover all internal and external areas of the premises used to supply, or store licensed products.
 - IV. The focus of the camera(s) shall be so as to enable clear identification of persons on the premises
 - V. The system will display the correct time and date and will be capable of time and date stamping any downloaded footage.
 - VI. The system will be capable of retaining recorded images for a minimum of 28 days.
 - VII. At all times the premises is open to the public there will be a member of staff at the premises who can operate the system and provide any footage requested.
 - VIII. The Data Controller will provide footage from the system, in a playable format, to any responsible authority on reasonable request and where that request complies with the Data Protection Act or equivalent legislation.
 - IX. Any requested footage will be provided as soon as practicable and in any event within 72 hours.
 - X. The premises will prominently display signage informing customers that CCTV is in operation at the premises.
5. 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.
6. That 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.
7. That prior to each occasion that licensable activities take place at the premises, a risk assessment shall be carried out to determine the appropriate number of door supervisors to be utilised. Said risk assessment shall be documented and made available to an authorised officer upon request.

8. That a record shall be kept on the premises by the Management of every person employed on the premises as a Door Supervisor. The record shall contain the following details:
 - i. name
 - ii. date of birth
 - iii. SIA licence number
 - iv. time commenced duty and time terminated dutySaid record shall be made available for inspection on demand by Lancashire Constabulary or any other authorised officer.
9. That all internal door supervisors engaged on duty shall wear high-visibility clothing (which is sufficient to distinguish them from other staff and members of the public) at all times. Any external door supervisors shall, as a minimum, wear an armband or lanyard whilst on duty at the premises. In addition, all door supervisors engaged in the dispersal of customers at the end of the trading period shall wear high-visibility clothing.
10. That the number of customers present in the premises (whether outside or inside) at any given time will be monitored and controlled by way of a clicker system at the public front entrance. This should be logged in a bound book and retained for at least three months and shall be made available for inspection upon request by Lancashire Constabulary or any other authorised officer.
11. That no more than 60 customers shall be allowed on the premises whether inside or outside at any time the premises is open to the public.
12. That the premises will operate a 'Challenge 25' policy whereby any persons who appears to be under the age of 25 shall be required to provide identification to prove that they are over 18. The acceptable forms of proof of identification shall be either:-
 - i. Passport
 - ii. A UK Photocard Driving Licence
 - iii. Official ID card issued by HM Forces or EU bearing a photograph and the date of birth of the holder
 - iv. Proof of age card accredited under the Proof of Age Standards Scheme (PASS)
 - v.

13. That all staff involved in the sale of alcohol will be trained in relation to the 'Challenge 25' policy, age related sales and the licensing objectives upon commencement of their employment. Staff will be subject to refresher training at regular intervals, this training will be documented and made available for inspection on request by any Responsible Authority.
14. That customers shall not be permitted to enter or leave the premises with any open bottle, glass or other alcohol container. Any drinks that are to be consumed in the external area of the premise will be served in a polycarbonate vessel and all bottles will be decanted.
15. That no off sales shall be permitted.
16. That a bound incident book shall be maintained at the premises which 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. The time, date of the challenge, description and or name of the customer and details of identification produced
 - iii. Any incidents relating to the premises, its staff or customers
 - iv. This record will include the time, date, nature and outcome of the incident
17. That the incident book will be made available for inspection by any responsible authority on reasonable request
18. That a refusals log will be kept and reviewed regularly by the DPS and made available for inspection by the police and an appropriate local authority representative on reasonable request
19. That Notices will be displayed at public exits, in a clear prominent position, requesting that patrons respect the needs of local residents and leave the premises and area quietly.
20. 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.
21. That a record of all assessments will be kept and made available to any responsible authority on reasonable request.

22. That all doors and windows shall be kept closed, other than for access and egress, at all times the premises is licensed for regulated entertainment.
23. That door supervisors and other members of staff to request customers to leave quietly and have respect for their residential neighbours.
24. That noise from music and associated sources (including DJs and amplified voices) shall not be audible at the boundary of any neighbouring residential premises.
25. That no Regulated Entertainment is to take place in the outside seating area of the premises at any time.
26. That any outside area, which is used for the consumption of alcohol, shall cease to be so used at 22.00 hours on any day.
27. 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.
28. That the volume of all amplified sound used in connection with all entertainment provided shall be set and maintained at a level that is acceptable to West Lancashire Borough Council.
29. That the premises shall operate a Dispersal Policy at all times that the premises is open to the public, to ensure that customers exit the premises in an efficient and safe manner to minimise disorder and nuisance.
30. That no deliveries will take place between 20:00 hours and 08:00 hours.
31. That the placing of refuse, such as bottles, into receptacles outside the premises shall take place between 08.00 hours and 21.00 hours only, so as to prevent disturbance to nearby premises.
32. 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.
33. That the premises will be operated in participation with the local 'Pub watch' scheme if and when such a scheme is in existence and the Designated Premises Supervisor or his/her representative shall regularly attend any meetings.

34. That a written Drugs Policy approved by Lancashire Constabulary shall be implemented at all times at the premises.

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Chairman

Agenda Item 2c

LICENSING SUB-COMMITTEE

HELD: Monday, 10 September 2018

Start: 10.30am

Finish: 11.15am

PRESENT:

Councillor: J Kay (Chairman)

Councillors: C Dereli G Hodson

Officers: Kay Lovelady, Principal Solicitor
Michaela Murray, Senior Licensing Officer
Karen Smith, Legal Assistant
Jill Ryan, Member Services/Civic Support Officer

In attendance: Councillor N Delaney

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 urgent items of business.

20 DECLARATIONS OF PARTY WHIP

There were no declarations of Party Whip.

21 DECLARATIONS OF INTEREST

There were no declarations of interest.

22 MINUTES

RESOLVED: That the Minutes of the meeting held on 6 September 2018 be noted.

23 LICENSING HEARING PROCEDURE

The Chairman referred to the Licensing Hearing Procedure.

24 **APPLICATION FOR PREMISES LICENCE VARIATION IN RESPECT OF LIQUID BAR, 2 ST HELENS ROAD, ORMSKIRK L39 4SJ**

Consideration was given to the report of the Director of Leisure and Environment as contained on pages 135 to 164 of the Book of Reports which was to consider an Application for a Premises Licence Variation in respect of Liquid Bar, 2 St Helens Road, Ormskirk L39 4SJ.

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 the 'Prevention of Public Nuisance'.

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

RESOLVED: A. That the premises shall be open to the public between 10.00 hours and 01.00 hours Sunday to Tuesday and 10.00 hours and 02.00 hours Wednesday to Saturday.

B. That the sale of alcohol shall be permitted between 10.00 hours and 00.30 hours Sunday to Tuesday and 10.00 hours and 01.30 hours Wednesday to Saturday.

C. That the provision of recorded music shall be permitted between 10.00 hours and 01.00 hours Sunday to Tuesday and 10.00 hours and 01.30 hours Wednesday to Saturday.

D. Non Standard Timings:

Applicable to A, B & C above - An extra hour on each Sunday preceding Bank Holiday Monday and New Year's Eve/Day, Christmas Eve plus Halloween, St. Patrick's Day and Aintree Grand National Races Days

The Licence will be amended as follows:

The Sub-Committee agreed to the removal of the following conditions:

- live music is not permitted on these premises at any time
- the Premises Licence Holder and/or Designated Premises Supervisor shall be present at all times the premises is open for sale to the public.

Annex 3 will be amended as follows:-

1. That the premises shall install, operate and maintain a CCTV System which shall be in use all times the premises is open to the public and comply as follows:-
 - (a) The system will cover all internal public areas of the premises and any external areas used by customers of the premises.

- (b) The system will cover all entrances and exits and be capable of capturing a head and shoulders image of all persons entering the premises.
- (c) The system shall cover all internal and external areas of the premises used to supply, or store licensed products.
- (d) The focus of the camera(s) shall be so as to enable clear identification of persons on the premises
- (e) The system will display the correct time and date and will be capable of time and date stamping any downloaded footage.
- (f) The system will be capable of retaining recorded images for a minimum of 28 days.
- (g) At all times the premises is open to the public there will be a member of staff at the premises who can operate the system and provide any footage requested.
- (h) The Data Controller will provide footage from the system, in a playable format, to any responsible authority on reasonable request and where that request complies with the Data Protection Act or equivalent legislation.
- (i) Any requested footage will be provided as soon as practicable and in any event within 72 hours.
- (j) The premises will prominently display signage informing customers that CCTV is in operation at the premises.

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- CHAIRMAN -

