

LICENSING SUB-COMMITTEE

HELD: Wednesday, 14 August 2019

Start: 10.30 am

Finish: 12.30 pm

PRESENT:

Councillor: N Delaney (Chairman)

Councillors: T Devine (Vice-Chairman) J Gordon

In attendance: Mr David Vella (Applicant)

Officers: Kay Lovelady, Principal Solicitor
Samantha Jordan, Senior Licensing Officer
Julia Brown, Member Services /Civic Officer

1 **APOLOGIES**

There were no apologies for absence received.

2 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to 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.

6 **MINUTES**

RESOLVED: That the Minutes of the meeting held on 4 October 2018 be noted.

7 **LICENSING HEARING PROCEDURE**

The Chairman referred to the Licensing Hearing Procedure.

8 **APPLICATION TO VARY A PREMISES LICENSE IN RESPECT OF THE COACH HOUSE BAR AND FUNCTIONS ROOMS. 144 LIVERPOOL ROAD, SKELMERSDALE WN8 8BX**

Consideration was given to the report of the Director of Leisure and Environment as contained on pages 9 to 11 of the Book of Reports which was to consider an application to vary a premises licence in respect of The Coach House Bar and Function Room, 144 Liverpool Road, Skelmersdale, WN8 8BX.

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, Objectors and Ward Councillors, the Sub-Committee:-

RESOLVED: A.

The application for the variation shall be granted to include:

1. Substitution of the new plan showing the bar and associated seating to the rear of the Premises into the Licence;
2. Addition of the following condition in Annex 2 put forward by the Applicant:
 - All sales of alcohol will cease in the outside area (including the bar area) of the premises after 22.00 hours each day.

ADDITIONAL CONDITIONS:-

Annex 2 conditions should be amended as follows:

1. "A tamper proof CCTV shall be installed at the premises, operated and maintained in liaison with and to the satisfaction of Lancashire Constabulary, and shall be used to record all hours that a licensable activity takes place of the premises";

"Any footage recorded on the system should be provided to any responsible authority on reasonable request"

shall be removed from Annex 2 and replaced with the following:

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.
2. "Staff will be trained to observe the measures necessary to promote the crime and disorder objective";
- "Records of staff training will be kept and made available for inspection by a responsible authority on reasonable request";
- "Staff will be trained to observe the measures necessary to promote the public nuisance objective";
- "Staff will be trained to observe the measures necessary to promote the protection of children objective"

shall be removed and replaced with the following:

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

3. " No customers shall be allowed to leave the boundary of the premises with drink other than off sales"

shall be removed from Annex 2 and shall be replaced by the following:

- That customers shall not be permitted to enter or leave the premises with any open bottle, glass or other alcohol container

4. "A record of refusals for sales of age-related products will be maintained at the premises and made available for inspection at the reasonable request of any responsible authority"

shall be removed from Annex 2 and shall be replaced by the following:

- 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
- That the incident book will be made available for inspection by any responsible authority on reasonable request
- 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

Annex 3 should be amended to add the following 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 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)

3. 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.

4. Wherever noise assessments indicate that noise is likely to cause nuisance to any local residents, remedial steps shall be taken to reduce the levels of noise.

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Chairman