

**LICENSING & GAMBLING SUB-COMMITTEE**    **HELD: Friday, 20 September 2024**  
Start: 10.47 am  
Finish: 1.10 pm

**PRESENT:**

Councillor:                    J Fillis (Chairperson)  
                                      G Owen (Vice-Chairperson)

Councillors:                 I Eccles

In attendance:              Councillor J Ingman  
                                      Councillor K Jukes

Applicant, Mr T Thurairajasingam  
Applicant's Agent, Mr I Rushton  
Objector

Officers:                      Kay Lovelady, Head of Legal & Democratic Services  
                                      Michaela Murray, Senior Licensing Officer  
                                      Andrew Smith, Legal Assistant  
                                      Claire Kelly, Principal Solicitor and Deputy Monitoring Officer  
                                      Julia Brown, Democratic Services 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 items of urgent 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 1 August 2023 be noted.

7            **LICENSING HEARING PROCEDURE**

The Chief Legal & Democratic Services Officer informed everyone of the Licensing Hearing Procedure.

8 **APPLICATION FOR THE NEW PREMISES LICENCE IN RESPECT OF SMART CHOICES, 1 PALM COURT, SKELMERSDALE**

Consideration was given to the report of the Assistant Director of Planning and Regulatory Services, as contained on pages 11 to 50 of the Book of Reports, which was to consider an application under the Licensing Act 2003 for a new premise licence application in respect of Smart Choices (off licence), 1 Palm Court, Skelmersdale.

In considering this matter the Sub-Committee had regard to its Licensing Policy, the Licensing Act 2003 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, Prevention of Crime and Disorder and Protection of Children from harm'.

On hearing evidence from the Applicant's Agent and Objector, it was

RESOLVED:

A Operating Hours

The Operating Hours are granted as applied for.

B. Conditions as agreed with Lancashire Constabulary will be applied

The Prevention of Crime and Disorder:

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 in which the public have access;
  - b) The focus on the camera(s) shall be 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 in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation;
  - e) Signage advising that CCTV is in operation will be displayed.
2. The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an Incident/Refusals Register in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken. This shall be completed as soon as possible and, in any case, no later than the close of business on the day of the incident. The time and date when the report was completed, and by

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whom, is to form part of the entry. The register is to be always kept on the premises and shall be produced to a Police Officer or Authorised Officer upon request.

3. Spirits will be kept behind the counter.
4. A staff training scheme shall be used for all staff authorised to sell alcohol. The training will cover the importance of preventing underage sales and complying with the licence conditions. Refresher training will be provided every 12 months; records will be kept and be made available to Responsible Authorities.

### Public Safety:

1. Customers shall be prohibited from leaving the premises with open containers of alcohol.

### The Prevention of Public Nuisance:

1. The management of the premise will ensure that the area immediately outside the entrance to the premises is kept clean, tidy and free from litter.

### The Protection of Children from Harm:

1. A documented Check 25 scheme will be operated at the premises. The Check 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.
2. The Proof of Age Standards Scheme (PASS) will be actively promoted at the premises by the display of Check 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;
  - (c) His Majesty's Forces Warrant Card;
  - (d) National including EU Identity Cards.

### C. Further Conditions

- A. That the Licensee 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.
- B. Signage will be displayed asking customers to respect the

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needs of the local residents by leaving in a quiet and orderly manner.

- C. That no deliveries take place between 20:00 and 08:00 hours.
- D. A notice must be displayed on the premises providing details of all persons authorised to sell alcohol.
- E. That a contact telephone number for the premises will be displayed on the front window/door of the premises to allow anyone who wishes to report any issue directly to the Premises to do so. The said telephone number must remain operational at all times the premises is open to the public.

This is the decision of the Licensing Sub – Committee.

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**Chairman**