

West Lancashire Licensing Sub-Committee

Premises Licence Variation Hearing

Tuesday 24th January 2017

JUNK

12 Church Street,
Ormskirk.

Police Documentation

- Appendix 1.** E-mails relating to police representations and recommendations – 6 pages
- Appendix 2.** Innkeeper System visit note 13/07/16 – 1 page
- Appendix 3.** Innkeeper System TEN application 8/9/16 – 1 page
- Appendix 4.** Innkeeper System visit note 19/9/16 – 1 page
- Appendix 5.** Innkeeper System visit note 20/9/16 – 1 page
- Appendix 6.** Innkeeper System visit note 22/11/16 – 1 page
- Appendix 7.** Innkeeper System visit note 5/1/17 – 1 page
- Appendix 8.** List of Ormskirk Town Centre Premises Times and Doorstaff conditions – 2pages

Bushell, Anthony

From: Bushell, Anthony
Sent: 16 December 2016 10:36
To: [REDACTED]
Cc: Murray, Michaela <Michaela.Murray@westlancs.gov.uk>
(Michaela.Murray@westlancs.gov.uk); Denton, Antony
(Antony.Denton@westlancs.gov.uk)
Subject: FW: FW: Junk- Premises Licence Variation

I have received your email below and in relation to your request I would say the following
I have initially suggested 1.30am so as to balance off allowing you extra time but keeping the security condition to the one currently attached to the licence ie risk assessed basis. As you are relatively new operators and we had issues over Freshers, I would say that you could run the premises for 5/6 months then if there were no issues we could consider increasing the hours gradually. This is what has occurred with other premises in the town. If as you and Philip said yesterday that you would want till 2am to fall in line with the other premises you have mentioned then I would consider 2am however I would use your argument with regards falling in line with Styles and Mimi and Gin by imposing a further doorstaff condition which stipulated you will employ a minimum of 2 door supervisors from a specified time till close on days you operated till 2am. This would replicate the conditions on both premises you mentioned, the condition on Mimi states they have to be on from 8pm, I wouldn't look for that early but would certainly be looking from 10pm till close.

So if you want 2am with 2.30 (Friday and Saturday only) closing I would want the condition relating to doorstaff currently attached to the licence removing and replacing with the following,

- *On a Friday and Saturday or any other time the premises provides licensable activity till 02:00 hrs or later the Premises will have a minimum of 2 door supervisors on duty from 22:00 till the premises is closed to the public*
- *On any other trading night the provision of door supervisors will be on a risk assessed basis taking into account the nature and type of operation being conducted on that night. This risk assessment will be documented, retained on the premises and produced for inspection on the request of any responsible authority.*

I would also remind you that you are not in a position to self deploy doorstaff so you would need to engage the services of a company to provide the security.

If you are agreeable to the inclusion of the above two conditions I would agree to your request for timings of Friday and Saturday licensable activity till 02:00 closing at 02:30.

Let me know your thoughts
Regards

PS 1506 Tony Bushell
South Licensing (Preston, Chorley, South Ribble, West Lancs)
Police Operating Centre
Lancaster Road North
Preston
PR1 2SA
[REDACTED]
anthony.bushell@westlancs.gov.uk

From: Murray, Michaela [mailto:Michaela.Murray@westlancs.gov.uk]
Sent: 16 December 2016 09:23
To: Bushell, Anthony
Subject: FW: FW: Junk- Premises Licence Variation

As requested

Michaela Murray
Senior Licensing Officer

Tel: 01204 354111

Direct Dial: 01204 354111

Fax: 01204 354111

e-mail: michaela.murray@westlancs.gov.uk

West Lancashire Borough Council
Robert Hodge Centre, Stanley Way, Skelmersdale WN8 8EE
www.westlancs.gov.uk

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From: Edward Burroughs [mailto:ed@burroughs.com]
Sent: 15 December 2016 11:30
To: Murray, Michaela <Michaela.Murray@westlancs.gov.uk>
Subject: Re: FW: Junk- Premises Licence Variation

Hi Michaela,

Would the police be willing to allow the granting of a license for alcohol sales until 2am without the need for a committee hearing?
This would bring our licensed hours in line with Styles and Mimi and Gin.

Regards,

Ed.

----- On Thu, 15 Dec 2016 10:17:19 +0000 **Murray, Michaela** <Michaela.Murray@westlancs.gov.uk> wrote -----

Hi

I have attached it now

Thanks

[REDACTED]
Senior Licensing Officer

Tel: 01204 [REDACTED]

Direct Dial: [REDACTED]

Fax: [REDACTED]

e-mail: [REDACTED]

West Lancashire Borough Council
Robert Hodge Centre, Stanley Way, Skelmersdale WN8 8EE
www.westlancs.gov.uk

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From: Murray, Michaela

Sent: 14 December 2016 15:30

To: [REDACTED] <[REDACTED]>

Subject: FW: Junk- Premises Licence Variation

Hi

Please find the Police representation made against your current variation application. If you wish to accept these conditions please return acceptance by email. If you do not wish to accept the conditions a Licensing & Appeals Committee hearing will be required.

Please advise a.s.a.p

Thanks

[REDACTED]
Senior Licensing Officer

Tel: 01204 [REDACTED]

Direct Dial: [REDACTED]

Fax: 01204 [REDACTED]

e-mail: [REDACTED]

West Lancashire Borough Council
Robert Hodge Centre, Stanley Way, Skelmersdale WN8 8EE
www.westlancs.gov.uk

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From: [REDACTED]
Sent: 14 December 2016 10:06
To: [REDACTED]
Subject: FW: Junk- Premises Licence Variation

Hi Mic

Please see the attached representation from Tony with regards to the above. This has been attached to the WK and the WK is 223764.

Cheers

Ant

Antony Denton

Licensing Assistant

West Lancashire Borough Council

Tel: [REDACTED]

Fax: [REDACTED]

Robert Hodge Centre

Stanley Way

Skelmersdale

WN8 8EE

www.westlancs.gov.uk

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From: Bushell, Anthony [REDACTED]
Sent: 13 December 2016 15:47
To: Licensing Enquiries <[REDACTED]>
Cc: Robson, Linda <[REDACTED]>
Subject: Junk- Premises Licence Variation

Afternoon

Please find attached police representation letter with regards the above application.

Regards

PS 1506 Tony Bushell

South Division Licensing

(Preston, South Ribble, Chorley, West Lancs)

Preston Office [REDACTED]

Chorley Office [REDACTED]

Mob [REDACTED]

[REDACTED]

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Notes

No notes have been added to this premises.

Edit Notes

Narrative Last year (1) ▾

Date 13/07/2016 10:30 Sensitive X

User 1506

Details VISIT TO PREMISES IN CO MICHAELA MURRAY AND SAM JORDAN WLBC TO SPEAK TO PROPOSED DPS, CHECK PROGRESS OF PREMISES AND ESTABLISH ANY PLANS FOR FRESHERS WEEK. PROPOSED DPS PHILIP BOSCHETTO [REDACTED] AND HIS COUSIN EDWARD BURROUGHS [REDACTED] PRESENT ON VISIT. PREMISES STILL UNDER RENOVATION MAY BE A COUPLE OF WEEKS BEFORE ABLE TO OPERATE. BOSCHETTO HAS NO PREVIOUS LICENSING EXPERIENCE SO CAUSED AN ISSUE WITH REGARDS LICENCE CONDITION WHICH STIPULATES DPS SHOULD HAVE AT LEAST 12 MONTHS LICENSING EXPERIENCE. CONTACTED HIS MOTHER [REDACTED], WHO IS A PERSONAL LICENCE HOLDER AND HAS/IS EXPERIENCED IN RUNNING A LICENSED HOTEL. AGREED THAT SHE WILL PUT HERSELF ON AS DPS IN THE INTERIM PERIOD. NO EVENTS PLANNED FOR FRESHERS WEEK, HAS STATED THEY MAY LOOK FOR A 2AM LICENCE, ADVISED TO OPEN AND OPERATE FIRST TO SEE HOW THEY DO BEFORE COMMITTING TO THIS.

Add Narrative

Summary

Premises	<u>JUNK</u>		
Late	Yes	Relevant Entertainment	Yes
Licensable Activity	Alcohol, Refreshment & Entertainment	Registering Authority	West Lancs
Event Details	LATE TEN - 18/9/16 TO 23/9/16 - 1100 HRS TO 0300 HRS FOR FRESHERS WEEK. NORMAL LICENSING HOURS COMMENCE ON FRIDAY EVENING 23/9/16		
Event Start	18/09/2016 11:00	Event Finish	23/09/2016 03:00
Notice Received Date	08/09/2016	Objection To Registering Authority	
Hearing Date		Capacity	160
Status	Granted	Date Granted In System	13/09/2016

Applicant

Details EDWARD BURROUGHS - [REDACTED]
Position DIRECTOR
Officers

- Send Letter
- Documents (0)
- Clone Application
- Edit Details

Summary

Premises JUNK

Incident No **CRO&No**

Date 20/09/2016 20:00

Description PHILIP BOSCHETTO SPOKEN TO AT PREMISES REGARDING PREVIOUS NIGHTS INCIDENTS WHILST HIS DPS SEAN PHYSICK WAS ON DUTY. UNABLE TO PRODUCE RISK ASSESSMENT TO JUSTIFY WHY DOOR STAFF WERE NOT PRESENT. ADVISED THAT THIS WAS A DYNAMIC AND ON GOING RISK ASSESSMENT, HIS DPS SHOULD HAVE IDENTIFIED THE NEED FOR IMMEDIATE ACTION AND DEPLOYMENT OF DOOR STAFF. THIS WOULD HAVE ALLEVIATED PERSONS LEAVING THE PREMISES WITH GLASSES AND THE SMASHING OF GLASSES AT THE FRONT OF THE PREMISES. THE FACT THAT THESE BREACHES OF LICENSING COULD LEAD TO CRIMINAL OFFENCE AND A FINE ON CONVICTION WERE POINTED OUT. I POINTED OUT TO MR BOSCHETTO THAT ALL THE PREMISES IN ORMSKIRK OPEN PAST MIDNIGHT HAD ENGAGED DOOR STAFF DURING FRESHERS WEEK AND THAT ON OUR VISITS IT WAS IDENTIFIED THAT DOOR STAFF WERE REQUIRED IN OUR OPINION- THEY HAD APPLIED FOR A TEN ALL WEEK, EXPECTING IT TO BE BUSY. IT WAS ALSO POINTED OUT THAT THE PREMISES WERE NOT BEING EFFECTIVELY MANAGED ON MONDAY NIGHT/TUESDAY MORNING. MR BOSCHETTO THEN CALLED SEAN INTO WORK TO ACT AS DOOR STAFF. I ADVISED THAT HAVING A DPS ACTING AS DOOR STAFF DID NOT WORK WHEN THERE WERE ONLY TWO STAFF MEMBERS PRESENT.

Incident Types

Ejected 0 **Arrests** 0

Officers

Code	Name
1560	GINN, MICHAEL - Constable
253	CARR, DARREN - SERGEANT

Responsible People

Summary

Premises JUNK
Reference VARIATION APP
Date and Time 22/11/2016
Description VISIT TO PREMISES I/C MICHAELA MURRAY (WLBC) TO MEET PHILIP BOSCHETTO TO DISCUSS APPLICATION TO VARY THE LICENCE. DISCUSSED CONTENTS OF APPLICATION AND IN PARTICULAR THE ANOMALY IN THE APPLICATION WHICH WAS ASKING FOR LICENSABLE ACTIVITY TO CONTINUE AFTER THE PREMISES OPENING HOURS. BOSCHETTO STATED THIS WAS AN ERROR IN THE APPLICATION MADE BY HIS BUSINESS PARTNER ED. THE APPLICATION AFTER DISCUSSION BASICALLY CAME ROUND TO THE FACT THAT THEY ONLY REALLY WANTED TO EXTEND THE HOURS AT THE WEEKEND TILL 3AM. ADVISED THAT DUE TO ISSUES OVER FRESHERS, WITH THEM ALLOWING PEOPLE OUT WITH GLASSES AND BOTTLES THAT WE WOULD HAVE CONCERNS OVER A 3 AM BUT MAY BE MORE ACCEPTING OF A LESSER INCREASE. RAISED ISSUE THAT WE WOULD LOOK TO HAVE DOORSTAFF, THIS WAS RESISTED SOMEWHAT AS BOSCHETTO STATED HIS MANAGER SEAN HAD A BADGE AND COULD WORK THE DOOR. ADVISED HIM THAT HE IS UNABLE TO DEPLOY DOORSTAFF AND SEAN CANNOT DEPLOY HIMSELF SO IN EFFECT WITHOUT BOSCHETTO HOLDING A FRONTLINE OR NON FRONTLINE LICENCE HE CANNOT DEPLOY DOORSTAFF. BOSCHETTO STATED HE WOULD GET LICENSED, BUT REITERATED THAT HE WOULDN'T USE DOORSTAFF FROM A COMPANY. ALTHOUGH APPLICATION HAD BEEN MADE IT HAD NOT BEEN PAID FOR, SO MICHAELA AGREED FOR THEM TO LOOK TO AMEND THEIR APPLICATION RE HOURS AND MAKE PAYMENT. BLUE NOTICE CHECKED AND DESPITE THE DISCUSSED ALTERATIONS WAS LEGALLY OK TO REMAIN, CLOSING DATE FOR REPS BEING 7TH DEC..

Officers

Code	Name
1506	BUSHELL, ANTHONY - Sergeant

Responsible People

Summary

Premises JUNK
Reference LICENSING VISIT
Date and Time 05/01/2017 21:00
Description PS 1506 REQUESTED SPECIALS VISIT TO RUN THROUGH THEIR LICENSING CONDITIONS - PHILIP BOSCHETTO IN CHARGE AT TIME OF VISIT. NO CUSTOMERS IN AT TIME OF VISIT. UNABLE TO PRODUCE PL. CURRENTLY APPLYING FOR EXTENSION TO HOURS. AT 21:15 HRS THE CCTV WAS SHOWING 22:19. EARLIEST RECORDING AVAILABLE IS 3RD DECEMBER 2016. CURRENTLY NO CCTV SIGNAGE DISPLAYED. 5 STAFF IN TOTAL NO RECORD OF LICENSING OBJECTIVE TRAINING. TO BE SCANNED AND EMAILED TO SGT. BUSHELL TOMORROW AS HE KEEPS THEM AT HOME. SEAN PHYSICK SIA BADGE # [REDACTED] HOLDS PL HOWEVER UNABLE TO PRODUCE AT TIME. DOSCHETTO HAD CLAIMED THAT THE ONLY ISSUES AT THE PREMISES RECENTLY WERE TWO BROTHERS HE EJECTED. WHEN ASKED FOR EVIDENCE ON AN ENTRY IN THE INCIDENT BOOK FOR THIS NONE WAS AVAILABLE. BOSCHETTO HAS LESS THAN 12 MONTHS EXPERIENCE AS A DPS AS PER LICENSING REQUIREMENTS REVISED IN NOVEMBER HOWEVER HIS STEP DAD AND HIMSELF ARE CURRENTLY APPLYING FOR A VARIATION TO HAVE THIS REMOVED.

Officers

Code	Name
9024	NEWSHAM, MICHAEL - Special Constable
9483	COLL, JENNIFER - Special Constable

Responsible People

There are no people associated with this visit.

**ORMSKIRK TOWN CENTRE PREMISES
WEEKEND HOURS AND DOORSTAFF CONDITIONS**

PREMISES	LIC ACT	CLOSING	DOORSTAFF CONDITIONS
Loft, Moorgate	02:00	02:30	<ul style="list-style-type: none"> • Door supervisors and other members of staff shall request customers to leave quietly and have respect for their residential neighbours • A door supervisor shall control the queue to the premises to ensure that customers are advised of the amount of time they are going to have to wait to gain entry and to prevent and customers who have behaved in such a way as to cause a public nuisance or disturbance from entering the premises. • The premises shall keep and maintain a door supervisor logbook showing each period of duty of that door supervisor, his/her full name and SIA badge number, the time at which he/she commenced that period of duty with a signed acknowledgement by that person, the time at which he/she finished the period of duty with signed acknowledgement by that person, any times during the period of duty when he/she was not on duty and if the door supervisors is not an employee of the DPS or his/her employer the full name of the person by whom the door supervisor is employed or through whom the services of that person were engaged. • A minimum of two door supervisors shall be positioned at the exit of the premises to encourage orderly dispersal of customers from the time the sale of alcohol ceases until the time the premises is closed to members of the public. • From 22.00 on any day, a minimum of two door supervisors shall be employed with one being visible at the front entrance at all times and on Wednesdays, Fridays and Saturdays, the number shall be increased to a minimum of three door supervisors after 23.00 until the premises close to the public. • Door supervisors and other members of staff to request customers to leave quietly and have respect for their residential neighbours. • Door Staff shall be engaged to work at the Premises on Fridays and Saturdays between 20.00 and closing • No conditions • No conditions • Door supervisors and other members of staff to request customers to leave quietly and have respect for their residential neighbours. • Registered doorstaff shall be on duty at busy periods and weekends • No Conditions
Queens Head, Moor Street	02:00	02:30	
Mimi and Gin, Church Street	02:00	02:30	
Liquid Bar, St Helens Road	01:00	01:30	
Market Cross, Church Street	01:00	01:30	
Styles, The Stiles	02:00	02:30	
Golden Lion, Moor Street	01:00	02:00	

PREMISES	LIC ACT	CLOSING	DOORSTAFF CONDITIONS
Green Room/Mustard Club, Moor St	02:00	02:30	<ul style="list-style-type: none"> • There shall be provided at the premises door supervisors who are registered with the Security Industry Authority to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for keeping of order in the premises when they are used for a licensable activity. • A log book shall be maintained at the premises, in which shall be recorded the following details: <ul style="list-style-type: none"> a) The door supervisor's name; b) His/Her Security Industry Authority Licence Number; c) The time and date he/she starts and finishes duty; d) Each entry shall be signed by the door supervisor.
Alpine, Railway Road	02:00	02:30	<ul style="list-style-type: none"> • From Monday to Thursday two door supervisors to control the queue when customers are entering the premises to ensure that customers are advised as to the amount of time they are going to have to wait to gain entry to the premises, and to prevent any potential customer from entering the premises in such a way that may cause nuisance or disturbance • From Monday to Thursday two door supervisors registered with the SIA will remain outside the premises until at least 10 minutes after the last customer has left the premises • Door staff also advise customers to leave quietly as they disperse at the end of the night and keep a watchful eye on any customers congregating outside of the bar and politely ask them to move on in an orderly fashion. • Student Nights - In addition to regular dispersal policy, barriers are placed outside of the entrance 30 minutes before the end of the night and are manned by 2 door staff to prevent students from spilling out into the road who will remain in place until 10 minutes after the last customer has left. Trained staff in high visibility vests will assist the door staff by manning the area at the end of the barriers.
Railway, Derby Street Junk, Church Street Proposal 1 Proposal 2	00:00 01:00 01:30 02:00	00:30 01:30 02:00 02:30	<ul style="list-style-type: none"> • No conditions • That a risk assessment be undertaken on the necessity of the employment of door supervisors and kept under continuous review. • No additional conditions • On a Friday and Saturday or any other time the premises provides licensable activity till 02:00 hrs or later there will be a minimum of 2 door supervisors on duty from 22:00 till the premises is closed to the public • On any other trading night the provision of door supervisors will be on a risk assessed basis taking into account the nature and type of operation being conducted on that night. The risk assessment will be documented, retained on the premises and produced for inspection on the request of any responsible authority.