

**LICENSING SUB-COMMITTEE**

**HELD: Wednesday, 24 May 2017**

Start: 10.30 a.m.

Finish: 1.40 p.m.

**PRESENT:**

Councillor: T Devine (Chairman)

Councillors: J Kay G Owen

Officers: Principal Solicitor (Mrs k Lovelady)  
Senior Licensing Officer (Mrs M Murray)  
Member Services/Civic Support Officer (Mrs J A Ryan)

In attendance: Mr P Boschetto – Premises Licence Holder  
Mr E Burroughs – Premises Licence Holder  
Sergeant S Ashcroft – Lancashire Constabulary  
PC M Ginn – Lancashire Constabulary  
PC J Stewart – Lancashire Constabulary

1 **APOLOGIES**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business.

3 **DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

4 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5 **MINUTES**

RESOLVED: That the Minutes of the meeting held on 10 February 2017 be noted.

6 **LICENSING HEARING PROCEDURE**

The Chairman outlined the Licensing Hearing Procedure.

7 **APPLICATION FOR THE REVIEW OF A PREMISES LICENCE IN RESPECT OF JUNK, 12 CHURCH STREET, ORMSKIRK, L39 3AN**

Consideration was given to the report of the Director of Leisure and Wellbeing Services as contained on pages 7 to 58 of the Book of Reports in respect of an Application for the review of a Premises Licence in respect of Junk, 12 Church Street, Ormskirk, L39 3AN.

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 Crime and Disorder'.

On hearing evidence from the Premises Licence Holders and Lancashire Constabulary the Sub – Committee:-

RESOLVED: A. That the current DPS be removed.

The operating hours will be as follows:-

- B. That the sale of alcohol shall be permitted between 10.00 hours and 01.00 hours Sunday to Thursday and 10.00 hours to 01.30 hours Friday and Saturday.
- C. That the premises shall be open to the public between 09.00 hours and 01.30 hours Sunday to Thursday and 09.00 hours to 02.00 hours Friday and Saturday.
- D. That the provision of films shall be permitted between 10.00 hours and 01.00 hours Monday to Sunday.
- E. That the provision of recorded music shall be permitted between 10.00 hours and 01.00 hours Sunday to Thursday and 10.00 hours and 01.30 hours Friday and Saturday.

The duplicated conditions contained within Annex 2 are removed and Annex 3 will be amended and modified as follows:-

- F. That the premises shall install, maintain and operate a CCTV system which will be in use during all times the premises is open to the public and will comply with the following requirements;
  - 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 will display the correct time and date and will be capable of time and date stamping any downloaded footage.
  - IV. The system will be capable of retaining recorded images for a minimum of 28 days.
  - V. 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.
  - VI. 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.

- VII. Any requested footage will be provided as soon as practicable and in any event within 72 hours.
- VIII. The premises will prominently display signage informing customers that CCTV is in operation at the premises.
  
- G. That on any day that the premises is authorised by the premises licence to provide licensable activity until 01.30 hours or later 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.
- H. That the above risk assessment will be documented, retained on the premises and produced for inspection to any responsible authority upon request.
- I. 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.
- J. 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.
- K. 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)
- L. 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.
- M. That the Premises Licence Holder/DPS will prevent customers taking glasses and bottles outside the premises after 21.00 hrs after which drinks will be provided in either plastic/polycarbonate containers.

- N. 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
  
- O. That the incident book will be made available for inspection by any responsible authority on reasonable request
  
- P. That the premises will operate a 'shopwatch' radio (or other compatible radio) and be part of the Ormskirk Town Centre Radio Link Scheme. The radio will be operated at all times the premises is open to the public in accordance with the Radio Link Scheme Protocols, which include the requirement to book on and off with Ormskirk CCTV Operators.
  
- Q. That the premises will be permitted to provide its authorised licensable activities for an additional hour on the following days:-
  - i. The last Friday before Christmas Eve
  - ii. Christmas Day
  - iii. Any Friday, Saturday, Sunday and Mondays of Bank Holiday Weekends
  - iv. From the end of permitted hours on New Years Eve to the start of the permitted hours on New Years Day

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- CHAIRMAN -