

LICENSING SUB-COMMITTEE

HELD: Friday, 8 December 2017

Start: 10.30 am

Finish: 1.25 pm

PRESENT:

Councillors: T Devine G Owen
J Kay

In attendance: Stuart MacFarlane (Applicant)
Mary Wright (Chair - New Way Tenants Residents Association)
Dennis Moffatt (New Way Tenants Residents Association)
Karen Jennings (New Way Tenants Residents Association)
Carol Davies (New Ormskirk Residents Group)

Officers: Kay Lovelady, Principal Solicitor
Michaela Murray, Senior Licensing Officer
Julia Brown, Member Services/Civic Support Officer

16 **APOLOGIES**

There were no apologies for absence received.

17 **MEMBERSHIP OF THE SUB-COMMITTEE**

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillor N Delaney, and the appointment of Councillor G Owen for this meeting only, thereby giving effect to the wishes of the political groups.

18 **URGENT BUSINESS**

There were no items of urgent business.

19 **DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

20 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

21 **MINUTES**

RESOLVED: That the Minutes of the meeting held on 27 October 2017 be noted.

22 **LICENSING HEARING PROCEDURE**

The Chairman outlined the Licensing Hearing Procedure.

23 APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 19 AUGHTON STREET, ORMSKIRK, L39 3AG

Consideration was given to the report of the Director of Leisure and Wellbeing Services as contained on pages 297 to 336 of the Book of Reports in respect of an Application for a Premises Licence in respect of 19 Aughton Street, Ormskirk L39 3AG.

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 and Objectors the Sub – Committee:-

RESOLVED: A. That 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:-

1. The system shall cover all entrances and exits from the premises, in addition to covering all internal and external areas of the premises used to supply or consume licensed products.
 2. The focus of the camera(s) shall be so as to enable clear identification of persons on the premises.
 3. The system will be capable of time and date stamping recordings and retaining said recordings for at least 28 days.
 4. The Data Controller shall make footage available to a Police Officer or authorised officer, where such a request is made.
 5. Signage advising that CCTV is in operation.
- B. That a documented Challenge 25 scheme will be operated at the premises. The Challenge 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.

The Proof of Age Standards Scheme (PASS) will be actively promoted at the premises by the display of Challenge 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 or
- (c) Her Majesty's Forces Warrant Card

- C. 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.

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.

- D. That an incident book / refusals register shall be kept and maintained at the premises indicating the date, time and reason, for any refusal / incident of Crime and Disorder and will be made available for inspection by any responsible authority upon request.
- E. That all doors will be fitted with a self-closing device. All doors and windows shall be kept closed, other than for access and egress, at all times.
- F. That notices shall be displayed at public exits, in a clear and prominent position, requesting that patrons respect the needs of local residents and leave the premises and the area quietly.
- G. That door supervisors and other members of staff request customers to leave quietly and have respect for their residential neighbours.
- H. That noise from music and associated sources (including DJs and amplified voices) shall not be audible at the boundary of any neighbouring residential premises after 18:00 hours any day.
- I. That no Regulated Entertainment is to take place in the raised outside seating area of the premises at any time.

- J. That any outside area, which is used for the consumption of alcohol, shall cease to be so used at 23.00 hours on any day.
- K. 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.
- L. That no deliveries will take place between the hours of 20:00 and 08:00 hours.
- M. That the placing of refuse, such as bottles, into receptacles outside the premises shall take place between 08.00 and 21.00 only, so as to prevent disturbance to nearby premises.
- N. 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.
- O. That the sale of alcohol shall be permitted between 11.00 hours and 01.30 hours Monday to Sunday.
- P. That the premises shall be open to the public between 11.00 hours and 02.00 hours Monday to Sunday.
- Q. That the provision of live music shall be permitted between 11.00 hours and 23.00 hours Monday to Sunday.
- R. That the provision of recorded music shall be permitted between 11.00 hours and 02.00 hours Monday to Sunday.
- S. That late night refreshment shall be permitted between 23.00 hours and 02.00 hours Monday to Sunday.
- T. That all external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency or to allow access or egress.
- U. 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.

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Chairman