

LICENSING SUB-COMMITTEE C

A meeting of the Licensing Sub-Committee C was held on 2 June 2016.

PRESENT: Councillors L Lewis, J Rathmell and B E Taylor

OFFICERS: J Dixon

DECLARATIONS OF INTERESTS

None Declared

16/1 **LICENSING ACT 2003: APPLICATION FOR PREMISES LICENCE - 21 SHELTON COURT, MIDDLESBROUGH - REF: OL/16/09.**

DECISION

ORDERED that the application for a Premises License in respect of 21 Shelton Court, Thorntree, Middlesbrough, Ref No: OL/16/09, be granted, for the supply of alcohol off the premises, for the hours 10.00am to 10.00pm daily.

The Committee granted the licence subject to the addition of those conditions proposed by the Council's Public Health Officer (at Appendix 15) and the condition proposed by Cleveland Police (at Appendix 16). The Committee also wished to include the steps taken by the applicant to address Crime and Disorder to be attached as conditions on his licence, as follows:-

1. The Premises Licence Holder/Designated Premises Supervisor will participate in any 'Responsible Retailing' scheme and any relevant training which the Local Authority provides.
2. The Premises Licence Holder/Designated Premises Supervisor will participate in any local 'Off Licence Forums' held by the Local Authority.
3. Any person who is authorised to sell alcohol at the premises will be provided with training on first appointment and every six months thereafter. Training will include information on how to prevent underage sales and preventing the sale of alcohol to somebody who is drunk or believed to be buying alcohol for a person who is drunk or underage (proxy sales). A written record will be kept of all training provided and this record will be kept on the premises for inspection by any Responsible Authority.
4. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by a Responsible Authority.
5. All spirits to be displayed behind the counter and all alcohol stock to be stored behind the counter, in accordance with the store layout plan provided.
6. A refusals register must be kept at the premises and maintained up to date at all times recording the date, time and reason for every refusal to sell alcohol to a customer.
7. The refusals register must be made available to Police, Trading Standards or Licensing Officers on request and/or during an inspection or visit.
8. The Premises Licence Holder/Designated Premises Supervisor or nominated representative shall regularly monitor the book and make a record of these checks. The book must be made available to the Police and Responsible Authorities on request.
9. There shall be displayed on the premises such information as to inform and advise customers of potential consequences of excessive alcohol consumption, domestic abuse, safe drinking, levels and sexual health.
10. A Personal Licence Holder must be on the premises at all times when the premises is open to the public.

11. The premises will not stock, display or sell any lager, beer, cider or perry product with an ABV content above 6.5%.
12. A digital colour CCTV system must be installed at the premises, maintained in good working order and be correctly timed and date stamped.
13. CCTV cameras must cover the ingresses and egresses to and from the premises, all internal areas and the immediate external frontage of the premises and must record at all times during the hours the sale of alcohol is permitted.
14. All CCTV recordings must be retained for a minimum of 31 days.
15. The CCTV system will be capable of providing evidential quality footage in all lighting conditions, particularly facial recognition whilst complying with Data Protection Legislation.
16. CCTV footage must be capable of being produced on media which can be viewed on a computer or laptop.
17. The CCTV system will have the facility to be password protected to prevent unauthorised access, tampering or deletion of images.
18. A member of staff who is capable of producing CCTV footage must be on the premises at all times when it is open.
19. CCTV footage must be made available to the Police, Trading Standards Officers or Licensing Officers on request and/or during an inspection of the premises.
20. The incident book must be kept at the premises and maintained up to date at all times recording the time, date and details of all the incidents of crime and disorder at the premises or directly outside the premises.
21. The incident book must be made available to the Police, made available to the Police, Trading Standards Officers or Licensing Officers on request and/or during an inspection visit.
22. Staff must require ID in the form of a current ten year passport, phot card driving licence, PASS logo identity card or other approved recognised proof of age scheme card from any customer who appears to be under the age of 25 and verify the customer is 18 or over before any sale of alcohol is made.
23. At least three Notices must be placed in prominent positions advising customers that the premises operates a Challenge 25 Policy and all customers who appear to be under 25 will be challenged for ID.

The Committee also wished to add the following condition:-

24. No single cans of alcohol to be sold from multi-packs.

The Committee noted the concerns raised by those making representations in relation to anti-social behaviour in the area, however, no objections were submitted by the Police.

The Committee also noted that the applicant had consulted with the Police and Public Health in relation to his application and had subsequently agreed to a number of proposed conditions being added to his licence to ensure that the Licensing Objectives were upheld.

In reaching the above decision Members had considered the following:-

1. The case was considered on its own merits taking into account the four licensing objectives of The Licensing Act 2003.
2. The Licensing Act 2003 (and Amended Government Guidance issued under Section 182 of the Act).

3. Middlesbrough Council's Licensing Policy.
4. The case presented by the applicant at the meeting.
5. The case presented by those making representations, in writing and verbally at the meeting.
6. The case presented by those supporting the applicant, in writing and verbally at the meeting.

The Chair advised all parties of the Right of Appeal to the Magistrates Court within 21 days of the decision.