

LICENSING SUB-COMMITTEE
11th December, 2008

PRESENT – Councillors Hughes, Lawton and Vasey. (3)

LS41. ELECTION OF CHAIR – RESOLVED – That Councillor Vasey be appointed Chair for this meeting only.

LS42. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS43. APPLICATION FOR A PREMISES LICENCE – OVEN ROTISSERIE – The Director of Corporate Services submitted a report (previously circulated) to give consideration for an application for a Premises Licence in light of representations received from two Interested Parties (local residents). The application was due to be considered on 27 November 2008, although, the applicant did not attend. Members were not satisfied that his Personal Assistant who attended on the applicants behalf, could provide sufficient information in respect of the points for clarification and that she could give undertakings on behalf of the applicant, the application was adjourned to today.

Mr Thoma, the applicant and his Personal Assistant Laura Earl addressed the meeting, responded to Members' questions and to the 'points for clarification' highlighted in the submitted report. As a result of this application representations had been received from two residents both of whom live in the vicinity of the premises, the objectors were not present at the meeting.

The Sub-Committee considered the views of the objectors and the applicant in accordance with the Guidance issued Under Section 182 of the Licensing Act 2003 (Hearings) Regulations 2005 and in accordance with the 'Licensing Sub-Committees – Full Hearing Procedure for Applications for Personal Licences Where Representatives Have Been Received.' Members were mindful of the representations made from the adjacent business, in respect of the recorded music being played and considered the licensing objective relating to the prevention of public nuisance in light of this representation.

IT WAS AGREED – That, the application be granted in part as follows; sale of alcohol for consumption OFF the premises – between the hours of 10.00 am and 12 midnight every day, provision of Late night Refreshment between the hours of 11pm and 12 midnight every day and provision of regulated entertainment, namely recorded music between the hours of 4 pm to 11 pm Monday to Friday and 9 am to 11 pm Saturday and Sunday, subject to the following conditions which are in addition to the mandatory conditions in respect of sale of alcohol:

- (a) A digital CCTV system covering the inside and outside of the premises shall be operational at all times when alcohol is sold and taken away from the premises by purchasers. Images shall be retained for a minimum of 28 days and shall be produced on request of the police or authorised officer of the Council.
- (b) Alcohol shall not be made available for sale unless it is ancillary to an order for food.
- (c) The sale of alcohol shall be limited to wines, Budweiser and Guinness.

- (d) The “Challenge 21” scheme shall be implemented in respect of all alcohol sales requiring the production of photographic identification from any person who does not appear to be 21 years of age. All staff shall be trained in this scheme and such training shall be documented.
- (e) Remote orders (by telephone or internet) shall require the production of a credit card and delivery shall not be made to anyone who appears to be under the age of 21 years without valid photographic proof of age.