

LICENSING SUB-COMMITTEE
10th February, 2010

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

LS10. ELECTION OF CHAIR – RESOLVED – That Councillor Hartley be appointed Chair for this meeting only.

LS11. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS12. APPLICATION FOR VARIATION OF PREMISES LICENCE – The Director of Corporate Services submitted a report (previously circulated) to consider an application for a Premises Licence in the light of a representation from Interested Parties, namely a person living in the vicinity of the premises. The representations were in respect of 86 Victoria Road and the application for the sale of alcohol for consumption off the premises.

A representation had been received from an interested party who was not present at the meeting but was aware of the hearing and wished for it to proceed in her absence; therefore the representation was considered by Members in her absence. The representation was in respect of the licensing objectives relating to the prevention of crime and disorder, public nuisance and the protection of children from harm.

Mr Hodgson and Mr Lester, Consultants Mr Sharif, Applicant and Mr Aziz, the landlord addressed the meeting and responded to Members' questions and to the points for clarification. Members discussed the installation of internal and external CCTV cameras and an amendment to the condition regarding CCTV was agreed.

The Sub-Committee considered the views of the applicant for review in accordance with 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 premises licences /club premises certificates where relevant representations have been received."

In making their decision Members considered the representation made by the Interested Party and agreed that the conditions as set out in the report from the Operating Schedule addressed the concerns raised. Members also noted that no objections had been received from the Police in respect of the Licensing Objectives. Members determined that the conditions to be imposed were proportionate, enforceable and sufficient to meet the licensing objectives. Members also advised that the Interested Party be advised of the provision to review a licence should problems relating to the four Licensing Objectives occur.

RESOLVED – That application be granted for Sale of alcohol for consumption OFF the premises – between the hours of 07.00 am and 11 pm every day subject to the following conditions, which are in addition to the mandatory conditions in respect of sale of alcohol

- (a) A CCTV system complying with Durham Constabulary Minimum Standards and with internal and external camera provision will be installed, maintained and operational at all times when alcohol is available for sale. The system will record and store images for a minimum 31 day period. Staff will be trained in its usage and

will produce recorded footage to the police and authorised officers of the Council upon request.”

- (b) All staff shall be trained in the legislation pertaining to the retail sale of alcohol when first employed and shall receive refresher training every six months. This training shall include refusals of sales and proof of age. Evidence of such training shall be documented and produced on request to the police and authorised officers of the Council
- (c) A refusals register shall be maintained containing details of all refusals of sales of alcohol. This register shall be produced on request to the police and authorised officers of the Council
- (d) The Challenge 21 scheme shall be implemented requiring photographic proof of identity from any person who attempts to purchase alcohol and who appears to be under the age of 21 years. Notices shall be displayed within the premises advertising this scheme.
- (e) The Premise Licence Holder shall ensure that the immediate vicinity of the premises, both front and rear, shall be kept tidy and free from litter.