

LICENSING SUB-COMMITTEE

Thursday, 31st January, 2013

Present:- Councillor Trevor Hambleton – in the Chair

Councillors Welsh and Mrs Winfield

2. HUMAN RIGHTS GUIDANCE NOTES
3. NATURAL JUSTICE GUIDANCE NOTES
4. PROCEDURE TO BE FOLLOWED BY THE SUB-COMMITTEE
5. APPLICATION FOR A PREMISE LICENCE HOLDITCH SERVICE STATION

Having taken into account the Licensing Act 2003 and the guidance issued under Section 182 of the Act, the Council's Statement of Licensing Policy and also the fact that representations have been received from Staffordshire Police on the basis that to grant the application would undermine the Licensing objective relating to Crime and Disorder.

The Committee have considered that Licensing objective in the light of what has been said and have taken into account that Staffordshire Police have entered into negotiations with the applicant and are prepared to withdraw their objections to the grant of the Premise Licence on the basis of an agreement that has been reached regarding the imposition of the conditions on the basis of such agreement the Committee are persuaded that it would not offend the Licensing Objectives to grant the application subject to the agreed conditions.

The Committee are therefore disposed to grant the application and a notice will be issued to that effect.

The Conditions which the Committee are disposed to impose in addition to the relevant mandatory conditions and also conditions that are consistent with those listed by the applicant in the operating schedule but are not inconsistent with the agreed conditions. The list of final agreed Police conditions produced to the Committee were:

CCTV

1. ***CCTV must be installed and operative to the approval of the Police Licencing Officer (PLO). The CCTV unit shall be positioned in a secure part of the licenced premise and not within any private area of the location. Access to the system should be allowed as soon as reasonably possible.***
2. ***The CCTV system must be maintained so as to be fully operational and recording 24 hours every day.***
3. ***All images should be kept for a 31 day period and to be produced to the Police Licensing Officer, Trading Standards or Local Authority Officers in relation to the investigation of crime and/or disorder issues, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.***
4. ***There will be notices displayed throughout the premises stating that CCTV is in operation.***
5. ***The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).***
6. ***There should be a member of staff available (although they do not have to be on site) at all times who is trained and capable of operating the CCTV system and also downloading any footage required by the Police, Local Authority Officers or Trading Standards Officers.***
7. ***Daily checks to be made to check the operation of the CCTV system and confirm it is working correctly and such checks to be recorded in a register which is to be endorsed by the person conducting the check this record is to be fully updated at all times and remain on the premises for immediate inspection by Police, Trading Standards or Local Authority Licensing Officers upon request.***

8. ***The CCTV system should be fully maintained and records of maintenance will be kept.***
9. ***The CCTV system can be periodically inspected by the Police Licensing Officer (PLO) to ensure that it continues to function to their approval and access must be granted as soon as reasonably possible to the PLO upon request to facilitate such an inspection.***
10. ***A CCTV monitor should be positioned by the till area showing real time footage from all of the cameras to allow the staff at the till to monitor any activities. This monitor should also be fully functional and operating at all times the premise is open to the public.***

CHALLENGE 25

11. ***The premises must adopt the Challenge 25 scheme to tackle under age sales. All staff must be fully trained in its use before being allowed to sell alcohol.***
12. ***The Designated Premise Supervisor should ensure that a record is kept of all staff training and is fully updated at all times and this training must be refreshed at least every three months. Both initial and subsequent refresher training in relation to the sale of alcohol will contain a written test to be undertaken by the staff member and this record must be signed and sated by both the member of staff and the Designated Premise Supervisor.***
13. ***The records of training (including written tests) must be kept fully updated at all times and held at the licensed premises. The records must be made available immediately to \Police Officers, Police Licensing Officers or Trading Standards Officers upon request.***
14. ***A refusals book must be held at the premises and contain details of the time and date of any sales that are refused in relation to persons that are under age. The book must also contain details of the staff member***

refusing the sale. This book must be checked on a monthly basis by the Designated Premises Supervisor or duty manager and endorsed accordingly by the DPS or duty manager signing the book with the time and date of inspection.

- 15. Persons purchasing alcoholic drinks who appear to be under the age of 25 must be required to produce proof of age by way of a proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available, a genuine photo driving licence or passport.*
- 16. A till card / prompt to be put on each till in the premise that is updated daily that will show the correct date of birth for a person of 18 years or over.*

SALE AND CONSUMPTION OF ALCOHOL

- 17. No sale of alcohol will be made through a serving hatch.*

COUNCILLOR TREVOR HAMBLETON
Chair