

LICENSING SUB-COMMITTEE

**MEETING HELD AT THE REMOTE MEETING
ON MONDAY 17TH MAY, 2021**

PRESENT: Councillor Kelly (in the Chair)
Councillors Bradshaw and Halsall

1. APPOINTMENT OF CHAIR

RESOLVED:

That Councillor Kelly be appointed as Chair for this meeting of the Sub-Committee.

2. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

**3. LICENSING ACT, 2003 – PREMISES LICENCE - GRANT - THE
VILLAGE TAP & BOTTLE, 192 CAMBRIDGE ROAD, SOUTHPORT PR9
7LS**

The Sub-Committee considered the report of the Head of Highways and Public Protection regarding an application by Mr Christopher Adams, The Village Tap & Bottle Limited, for the grant of a Premises Licence in respect of the above premises as follows:

Licensable activities applied for:

The sale of alcohol by retail (on the premises)

Days of Operation	Hours of Operation
Sunday to Thursday	08.00 to 23.00
Friday and Saturday	08.00 to 00.00

The provision of late-night refreshment

Days of Operation	Hours of Operation
Sunday to Thursday	23.00 to 23.30
Friday and Saturday	23.00 to 00.30

Hours premises to be open to public

Days of Operation	Hours of Operation
Sunday to Thursday	08.00 to 23.30
Friday and Saturday	08.00 to 00.30

The applicants also wished the following nonstandard timings to be applicable:

- From the start time on New Year's Eve to the terminal hour for New Year's Day.

Numerous objections to the application had been received and this necessitated a hearing for which the Sub-Committee had been convened.

The Sub-Committee heard representations from:

- Ms Rebecca Ingram (Kuit Steinart Levy LLP), on behalf of the applicant;
- Mr Christopher Adams (applicant), in support of his application;
- Mr Jamie Rae (proposed manager), in support of the application;
- a local resident in support of the application;
- numerous local residents objecting to the application.

Due to the COVID-19 pandemic, the meeting was held remotely.

At the end of their representations each of the interested parties confirmed that they were satisfied that they had said all they wished to say.

The Sub-Committee retired under Regulation 14(2) of the Licensing Act (Hearings) Regulations 2005 (as amended) and thereby excluded the press and public whilst they reached their decision on the application. The Sub-Committee returned to give their decision in public.

Decision

RESOLVED: That

The Application for the Grant of a Premises Licence in respect of The Village Tap & Bottle, 192 Cambridge Road, Southport, PR9 7LS, be granted subject to the hours set out in the revised operating schedule.

The sale of alcohol by retail (on the premises)

Days of Operation	Hours of Operation
Sunday to Thursday	08.00 to 23.00
Friday and Saturday	08.00 to 23.30

The provision of late-night refreshment

Days of Operation	Hours of Operation
Sunday to Thursday	23.00 to 23.30
Friday and Saturday	23.00 to 00.00

Hours premises to be open to public

Days of Operation	Hours of Operation
Sunday to Thursday	08.00 to 23.30
Friday and Saturday	08.00 to 00.00

And the conditions put forward by the Applicant in the revised Operating Schedule as follows:

A) The Prevention of Crime and Disorder

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
8. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.
9. A refusals book will be maintained at the premises and made available to an officer of a responsible authority upon request.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

4. The premises shall maintain an Incident Log and public liability insurance.

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.

2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

3. The exterior of the building shall be cleared of litter at regular intervals.

4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.

5. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.

6. A Dispersal and Smoking Policy will be implemented and adhered to.

7. The emptying of bins into skips and refuse collections will not take place between 11pm and 7am.

8. No bottles/glassware shall be emptied into external bins after 21:30 on any day.

9. The external area shall not be used for drinking or dining after 22:30 daily. After this time the area will be used for smokers only, and for the avoidance of doubt they shall not be permitted to bring drinks into the external area with them.

10. There shall be no external speakers.

11. Alcohol will not be sold between the hours of 08:00 and 11:30 unless accompanied by food.

12. Food shall be available at all times the premises is trading, subject to last orders for food being taken up until one hour before the terminal hour for the sale of alcohol.

13. Within the external area, alcohol will only be served to seated customers.

14. Deliveries to the premises will only take place between 10:30 and 14:00 on any day.

D) The Protection of Children from Harm

1. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
2. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
3. Notices advising what forms of ID are acceptable must be displayed.
4. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.

Reasons:

The Sub-Committee has heard from the Applicant's representative Ms Rebecca Ingram, as well as the Christopher Adams on behalf of the Applicant Company, and his proposed manager Jamie Rae. The committee has also heard from a number of local residents objecting to the application along with consideration of written representations in objection, as well as the written representations in favour of the application. The Sub-Committee has also noted that the Applicant reduced the hours of operation of the premises on Friday and Saturday from those originally sought in their application. Further, the Applicant has qualified the serving of alcohol between 8am and 11:30am to accompany food; specified the time of deliveries and confirmed alcohol will only be served to seated customers outside.

The Sub-Committee are cognisant of the fact that no representations were received in response to the application from any of the other Responsible Authorities (for example the Police or Environmental Health).

The Sub-Committee note that this application is for the grant of a new Premises Licence and they are bound to have regard to the appropriate legislation, Guidance and to Sefton Council's own Statement of Licensing Policy.

Whilst the Sub-Committee has sympathy for the local residents' concerns it has not heard or received any evidence that these concerns will occur as a result of the alcohol licence being granted and cannot impose purely aspirational conditions in the absence of any evidence.

In addition, the Sub-Committee cannot address issues that are dealt with by other statutory regimes such as planning or highways legislation. The Committee reminds residents of their ability to make representations to this effect to the appropriate committee when appropriate.

The Sub-Committee is satisfied that the Applicant has sought advice and assistance from those with sufficient knowledge and experience of the licencing trade and have shown their respect for local residents and community in attempts to engage with the interested parties at today's meeting. The Sub-Committee is pleased to note this and hope that this will continue into the future.

The Sub-Committee concluded that should any concerns come to fruition, in respect of this premises, the interested parties would have the right to request a Review of the Premises Licence.