

LICENSING SUB-COMMITTEE

Tuesday, 19 June 2018

PRESENT: Councillors Taylor (in the Chair), Burke, Taylor and Zaheer

OFFICERS: J. Alom (Licensing Team Manager), S. Hussain (Senior Litigation Solicitor) and M. Garraway (Senior Governance & Committee Services Officer).

ALSO IN ATTENDANCE: R. Eckersley (Licensing Senior Officer at Rochdale BC), C. Whittle (Team Leader, Community Protection at Rochdale BC), C. Grunert (JG&P), B. Dawson (The Bridge Inn), T. Igo (Marston's PLC) and B. Greenwood (Local Resident)

APPOINTMENT OF CHAIR

1 Resolved: That Councillor Taylor be appointed Chair for the meeting of Licensing Sub-Committee.

DECLARATIONS OF INTEREST

2 There were no declarations of interest.

PROCEDURE FOR HEARINGS UNDER THE LICENSING ACT 2003

3 The Chair advised that the Sub-Committee had been called to meet to consider an application for the review of a Premises Licence, in accordance with Section 52 of the Licensing Act 2003, in respect of The Bridge Inn, 741-743 Edenfield Road, Norden to which representations had been made by the Weights and Measures Authority.

The meeting was to be conducted in accordance with the adopted "Procedure for Hearings Under the Licensing Act 2003 where Representations are Received", as contained within the Local Authority's Code of Conduct for Members and Officers Dealing with Matters under the Licensing Act 2003.

LICENSING OFFICER

4 Prior to the presentation by the Licensing Officer the representatives from Marston's and the Weights and Measures Authority advised the Sub-Committee of a number of conditions which had been agreed by both parties prior to the meeting. The measures related to additional conditions to the license with the aim of achieving the Licensing objective of the protection of children from harm.

The Licensing Team Leader addressed the Sub-Committee in respect of the submitted report, copies of which were available to the parties in advance of, and at the hearing. The submitted included representations received from Responsible Authorities, interested Parties, local policy considerations and the national guidance.

The Licensing Team Leader advised the Sub-Committee that an application had been received on 18th June 2018 to change the designated premises supervisor to Mr B. Dawson.

In respect of the application the Sub-Committee were invited to either:

- Decide that no action is necessary to promote the licensing objectives
- Modify or add conditions to the licence
- Exclude a licensable activity from the licence
- Remove the designated premises supervisor
- Suspend the licence for a period (not exceeding three months)

- Revoke the licence

THE REPRESENTATIONS

5 The Sub-Committee considered the views of Mr B. Greenwood, a local resident, who addressed the Sub-Committee in support of the premises.

C. Whittle (Team Leader, Community Protection) addressed the Sub-Committee detailing the reasons for the submission of the review of the application.

R. Eckersley (Licensing Senior Officer) addressed the Sub-Committee detailing concerns which had been logged in relation to the premises.

THE APPLICANT

6 C. Grunert (JG&P) addressed the Sub-Committee on behalf of the premises holder detailing the policies and procedures in place at the premises as overseen by Marston's PLC.

In addressing matters leading to the application for a premises review, Mr Grunert detailed the circumstances leading to the incident and emphasised the one off nature set against previous and ongoing monitoring undertaken by Marston's on site.

DECISION

7 Resolved: The Sub-Committee considered the options available in reviewing the licensing. Having read the guidance, the relevant legislation, the written submissions and upon hearing from the applicant and their representative, a local resident and from persons who objected, and taking into account the written evidence, the decision of the Licensing Sub-Committee be that conditions be added to the License as follows:

- During the hours of operation the Designated Premises Supervisor shall be present at site or, if not present, a telephone number shall be provided to staff to allow contact to be made with the Designated Premises Supervisor.
- CCTV shall be provided in the form of a recordable system capable of providing pictures of evidential quality and in all lighting conditions particularly facial recognition at the public entrances to the premises. Cameras shall encompass all points of public ingress and egress to the premises and provide comprehensive coverage of all areas where the sale, supply or consumption of alcohol occurs.
- Equipment shall be maintained in good working order and correctly timed and dated. The licence holder shall take reasonable steps to ensure prompt repairs are carried out as and when required. CCTV equipment will be checked daily to ensure that it is in working order, such checks shall be documented and retained for a minimum period of two calendar months.
- CCTV recordings to be available for a period of 31 days and shall, upon proper request in accordance with Data Protection regulations, be made immediately available to Officers of the Police and the Council when the premises are open to members of the public. The recording equipment being of a digital hard drive system shall be kept in a secure environment under the control of the Designated Premises Supervisor.
- The CCTV system shall record images at all times that any member is on or at the premises. For the purpose of this condition, a member of the public is defined as any person other than
 - a. The Designated Premises Supervisor or their partner or children.
 - b. The Premises Licence Holder, or their appointed representatives.

- Poster, no smaller than A4 size, shall be clearly and prominently displayed at the entrances and exits of the premises stating that CCTV is in operation and that images are being captured for the purposes of crime prevention and public safety.
- A refusals log is to be kept to record times and dates of all refusals of retail alcohol to underage persons.
- A signed and dated copy of refusals logs to be made available to authorised Rochdale Borough Council Officers upon request.
- A Challenge 21 scheme to be operated at the premises with clearly posters to be displayed in prominent areas throughout the premises.
- The Designated Premises Supervisor to attend annual training seminars as provided by the Public Protection Service.
- All staff to undertake training at least every three months on the law relating to underage sales of alcohol.
- All new staff to receive training on the law relating to underage sales of alcohol.
- No alcohol to be consumed by employees whilst working on the premises.
- To notify staff of any reports of alleged underage sale incidents that has been brought to the attention of the Designated Premises Supervisor.
- To produce a record of remedial action if requested by an authorised Officer of Rochdale Borough Council.

Reason for decision: To promote the Licensing objection of the protection of children from harm.

Signed:

Dated.....

RIGHT TO APPEAL WITHIN 21 DAYS OF THE WRITTEN DECISION BEING RECEIVED