

## MINUTES OF LICENSING PANEL MEETING - WEDNESDAY, 14 JUNE 2017

### **Present:**

Councillors

G Coleman

Humphreys

Roberts

### **In Attendance:**

Lennox Beattie, Executive and Regulatory Support Manager

Sharon Davies, Head of Licensing Service

### **1 APPOINTMENT OF CHAIRMAN**

The Licensing Panel considered the appointment of a Chairman for the meeting.

### **Resolved:**

That Councillor G Coleman be appointed Chairman for the meeting.

### **2 DECLARATION OF INTEREST - LICENSING**

There were no declarations of interest on this occasion.

### **3 PROCEDURE FOR THE MEETING**

The Chairman explained the procedure for the meeting including that an equal time limit of twenty minutes had been allocated for all parties.

### **4 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- BISPHAM LOCAL STORE**

The Licensing Panel considered an application for the review of the Premises Licence submitted by Weights and Measures in respect of Bispham Local Store, 101 Bispham Road.

Mrs Sharon Davies, Head of Licensing Service, reminded members that as outlined in the report at the time the review was submitted the Licence Holder and Designated Premises Supervisor was Amalan Arumugam. On the same day the Licensing Service received the review application they received an application to transfer the licence and vary the Designated Premises Supervisor. These applications were granted as no objections were received from the police. The licence holders are now Kajanthan Arumugam and Nirosha Kajanthan. Kajanthan Arumugam is now the designated premises supervisor.

Mr Mark Marshall was in attendance accompanied by Mr Marcus Maddocks and Mr Glenn Phoenix and presented the representations on behalf of Weights and Measures and Health and Safety. He highlighted that the responsible authorities' concerns were caused by the sale of alcohol to an underage test purchaser and that the seller was Mr Kajanthan Arumugam, a personal licence holder. Mr Marshall noted the improvements since the submission of the review application notably the improvements to the premises and the attendance of Mr Arumugan on a recent training course. Mr Marshall therefore

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concluded that the review application should be dealt with by the addition of conditions and by a brief suspension to ensure future compliance.

Lancashire Constabulary were not in attendance so that responsible authority's representation was considered based on the written representation.

Ms Louise Scales, Child Protection Licensing Officer, was in attendance but did not offer any further representation to the written representation that formed part of the agenda.

Mr Kajanthan Arumugam, one of the joint Licence Holders and Designated Premises Supervisor, was in attendance accompanied by his legal advisor, Mr Trevor Colebourne. Mr Colebourne highlighted that the premises were previously operated by Mr Arumugam's brother and then subsequently transferred to the current Licence Holder. He highlighted the improvements undertaken since Mr and Mrs Arumugham had become the Licence Holders. He offered an apology for the conduct that had led to the failed test purchase and explained the personal issues within the family at the time. He further explained that the Licence Holder was prepared to accept the imposition of the proposed conditions on the licence and in any case had operated the premises in accordance with the conditions already, Mr Colebourne argued that in the circumstances a suspension would be unnecessary.

The Licensing Panel considered carefully the evidence submitted by all parties. It noted the seriousness of the test purchase failure particularly as the seller on this occasion was a Personal Licence holder however it balances this with the improvements that had been made since and the cooperative attitude of the Licence Holder.

The Licensing Panel agreed to add the following conditions to the Premises Licence:

1. Any staff member other than the Licence Holders, Mr and Mrs Arumugham, shall achieve at least a BII Level 1 Accreditation (Award in responsible Alcohol Retailing) within 3 months of the commencement of employment at the premises
2. Documented staff training in relation to the sale of alcohol focussing particularly on the prohibition of the sale of alcohol to children will be in place and refreshed on a six-monthly basis. Records to evidence this training will be on site and produced on request to a Police Constable or authorised Officer.
3. CCTV to cover all public areas of the premises will be in place with a recording mechanism that saves images for a minimum for 21 days.

The Panel considered that it would also be necessary and proportionate to apply a suspension to ensure continued future compliance and to mark the failure. Given the improvements in the operation of the premises it concluded that it should impose a short suspension of twenty-four hours.

### **Resolved:**

1. That the Premises Licence in respect of Bispham Local Store be suspended for a period of twenty-four hours.

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2. That the conditions as outlined above be added to the Premises Licence for Bispham Local Store.

### **Chairman**

(The meeting ended 7.05 pm)

Any queries regarding these minutes, please contact:

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