

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	20 July 2017

APPLICATION FOR A PREMISES LICENCE – Folklore

1.0 Purpose of the report:

1.1 To consider an application for a Premises Licence in respect of Folklore, 13 Westcliffe Drive.

2.0 Recommendation(s):

2.1 The panel are requested to consider the application and determine whether the granting of this licence would adversely impact on the licensing objectives.

3.0 Reasons for recommendation(s):

3.1 Representations have been received therefore there must be a hearing to determine the application.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None, once an application has been submitted and representations received it must be considered by the Licensing Panel.

4.0 **Background Information**

4.1 On 31 May 2017, the Licensing Service received an application from Janusz Artur Kuca for the grant of a Premises Licence at Folklore, 13 Westcliffe Drive.

4.2 The application requests permission for the sale of alcohol for consumption off the premises 08.00 – 20.00 hours daily. A copy of the application is attached at Appendix 4a.

4.3 Representations have been received from members of the public. Copies of the representations are attached.

4.4 **Local policy considerations**
None

4.5 **National policy considerations**

9.42 – The authority’s decision should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.43 – Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder as well as the potential benefit in terms of promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the licensing objectives and nothing outside those parameters.

4.6 **Observations**

The police have agreed a number of conditions with the applicant which will be added to the licence if granted:

1. The Licence holder is to support and rigorously enforce the Challenge 25 proof of age policy.

Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:

- i. UK photo driving licence
- ii. Passport
- iii. Proof of Age Standards Scheme Card
- iiii. Armed Forces ID card

Signs promoting this policy will be prominently displayed at public entrances and alcohol sales areas

2. All staff to have received suitable training in relation to the proof of age scheme to be applied upon the premises. Records to evidence this will be made available to an authorised officer upon request. Refresher training shall be conducted every 4 months as a minimum.
3. CCTV will be installed internally and externally at the premises and will comply with the following:
The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system. The system will incorporate a camera covering each of the entrance doors and will be capable of providing an image which is regarded as identification standard.
The system will display on any recording the correct time and date of the recording.
The system will make recordings during all hours the premises are open to the public.
Digital recordings shall be held for a minimum of 21 days after the recording is made and will be made available to the Police or any authorised persons acting for a Responsible Authority for inspection upon request.
The system will, as a minimum, record images of the head and shoulders of all persons entering the premises.
4. A staff member who is conversant with the operation of the CCTV system will be on the premises at all times the premises are open to the public. This staff member will be able to show recent data or footage with the absolute minimum of delay when requested to a Police Officer or to a Local Authority Enforcement Officer.
5. The Licence Holder or Designated Premises Supervisor shall notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.
6. Appropriate signage alerting customers to CCTV recording shall be displayed in conspicuous positions on the premises.

7. An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.
8. No alcohol with an ABV above 5.5% shall be sold in single cans, with the exception of occasional items that are sold because their original packaging has been damaged.
9. No beer or cider may be sold with an ABV above 7%.
10. A Personal Licence holder will be available to attend the premises within 30 minutes while the sale and supply of alcohol takes place.
11. A refusals register to be kept and maintained which is readily available for inspection by a Police Constable or authorised officer and this register will be reviewed weekly by the licence holder or Designated Premises Supervisor.

4.7 Does the information submitted include any exempt information? No

4.8 **List of Appendices:**

Appendix 4a: Application

Appendix 4b: Representations from members of the public

5.0 **Legal considerations:**

5.1 Please see local and national policy in the background information.

6.0 **Human Resources considerations:**

6.1 None.

7.0 **Equalities considerations:**

7.1 None.

8.0 Financial considerations:

8.1 None.